In the Council Chambers of the Municipal Building, Thursday, April 5, 1973, at 7:00 p.m. with Councilpresident Charlotte Zietlow, presiding.

Present: Councilmembers Jim Ackerman, Richard Behen, Wayne Fix, Hubert Davis, Sherwin Mizell, Jack Morrison, Brian De St. Croix, Charlotte Zietlow, Alfred Towell. (Councilman Towell was not present for the first part of the meeting.)

James Regester, Corporate Counsel; Francis X. McCloskey, mayor; Jim Wray, Transportation Director; Martha Sims, Controller; Danny Fulton, Director of Redevelopment; Stuart Reller, Senior Planner; Larry Owens, City Attorney; Grace Johnson, City Clerk; Bill Wilson, Director of Parks and Recreation.

About 40 people including members of the press.

Councilman Ackerman moved that the minutes of the Council meetings of March 15 and March 29 be approved as submitted. Councilman Behen seconded the motion.

Councilman Fix moved that the minutes of the

meeting of March 15, 1973, be amended by inserting, on page 7 of the minutes, the following sentence: "Thereafter, all appointments shall be for a term of four (4) years." after the sentence: "The Council shall initially appoint members as follows: one (1) for a term of three (3) years and one (1) for a term of four (4) years." Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

The minutes, as amended, were approved by a unanimous voice vote.

MESSAGE FROM THE MAYOR Mayor McCloskey addressed the Council: I am very happy - and perhaps one of thousands of citizens - who is very happy about the initial success of the bus program. People who have been reading the newspapers and riding the buses know that they have been jammed. I think that the price is right, being nothing but I don't look for that substantial a fall-off perhaps intuitively when we go to the quarter fare, and a 15¢ senior fare. I think, as has been mentioned in the press, and I think discussed among the council, the main criticism we are getting right now is the fact that we don't have enough of a mini service - that the service does not tend to their neighborhood or go by their house. This cuts both ways - but I really do appreciate the concern and the criticisms of these citizens I would just like to note that over the last two days, Jim Wray and myself, along with Ed Colby, have been working on a possible proposal that would call for the relatively immediate acquisition of two more buses. We could have them in several months. The main reason for this would be to serve the two major areas that are indeed not getting the bus service - primarily the far west side, the industrial park area, Highland Village, etc. and the southwest side and we could also have some going through fritz terrace. I do believe it should be noted that if we do do this it would likely run to some 70 to 80 thousand dollars but my feeling is right now that I will probably recommend that we do do so and keep working on the technical study and do as much as we can in the relatively near future to have a truly comprehensive system. I think anyone who notes the routes will see that even under an eight bus system, it would not be as sprehensive, even in the sense of every citizen having bus route within two or three blocks of his bouns but

REGULAR SESSION (*), COMMON COUNCIL, CITY OF BLOOMINGTON, INDIANA

ROLL CALL

CITY OFFICIALS PRESENT

OTHERS PRESENT

MINUTES

surely thiswould be better than what we have right now. If Councilman Davis and other interested councilmen would get together with my office very soon we could have a recommendation on this for the next meeting of the city council. I would like to note that, as you probably know, within the confines of the previous appropriation we have advertised for a seventh back-up bus since even good, new buses, on occasion malfunction. A back-up bus is needed and I don't think we should succumb to any pressures to put every bus out on a regular route. Again, I am very pleased and grateful for the positive reception the buses have received in the community and I would suggest that when we do start charging 25¢that the parents of all these children do realize that that is not that much of-an investment to get their children all over town.

I would note that we are in for a Danny Fulton Magic Lantern show tonight - a detailed presentation of the downtown CBD and westside ndp second year proposals. I am somewhat disappointed - particularly as to the westside proposal, in that, because of the overall funding cutbacks at the federal level the second year program is much less than had been originally envisioned. The dit have come in - I believe various of them are here tonight The ditizens have expressed their concern about not having a program of the scope that had been worked on for months and months. I share their concern; I also have noted to them and I think the Councilprobably knows that we do not know exactly at this time what the picture will be, particularly with special revenue sharing. Such an uncertainty at But I think that regardless of how the federal funding situation turns out we should do everything we can to cooperate with such neighborhood groups to keep such revitalization programs going indefinitely. You will learn - and you do know because you received the reports - that the major part of the westside is street improvements on 7th, 8th and 9th and there are curbs and gutters and sidewalks in there also and an areawide drainage improvement program. I would note that the downtown proposal is primarily a sidewalk and tree plot expansion for a block and a half running east from Walnut street. IT SHOULD ALSO be noted that there is an alleyway beautification program that could be a major aesthetic improvement in the downtown area. I think perhaps the significance of this downtown program lies in two factors - first of all the merchants of the downtown area as PAC group have been working very well together to formulate and initiate and prepare this proposal. Ithink it is important to keep such community groups concerned and active and I would also note that this could be the initial stretch on a very progressive, innovative mall program, runing east towards the gates of the university. It is very likely that with the present status of cumulative capital accounts that within one to two years we could have a very beautiful mall system with the cooperation, support and indeed preparation by the merchants along Kirkwood. I say this is an idea of something that we should explore and talk about but I believe it very likely is a probability at this point.

I would also note that up for second reading tonight is the economic development commission ordinance. I had planned to announce three appointments to the commission tonight assuming the ordinance mages passes; I think I will hold my recommendations for the time being, and wait until we ascertain the status of one appointment which is in question, for various other city appointments. I would note that we did receive an endorsement of the economic development ordinance from the chamber of commerce and as you know it charges the individuals involved to find out the present state of our economy, including employment, industrial needs, manpower - to report to the mayor and the council on these recommendations within the relatively near future. There should be an action component—where the group would utilize and coordinate all available resources to help us get desirable industry. I would stress that this will be a very flexible, I think high quality commission and I humbly request your support for this program.

Perhaps the last thing I would like to touch on is to seek the advice and consent of the council, if they would do so, on three appointments to the Human Rights Commission - one of them is Mrs. Viola Talliaferro. Mrs. Talliaferro is the wife of George Talliaferro, the special assistant to the president of the University; she has been a social worker in Baltimore, a school teacher and has an excellent educational background, having a backelor's degree in business administration and a master's

degree in political science and indeed has been very active

in civic affairs in every community in which she has every resided. I would also like your advice and consent on the appointment to the human rights commission of Reverend William R. Webster. I believe he is known to many members of the council. he is the ombudsman for University Ministries since October 1970; he has been here since 1956 and he has been very active in civil rights and community relations; he formerly was director and campus minister of the roger williams foundation here. Iwould also like to recommend the reappointment of Dr. Joseph Russell, the present chairman of the human rights commission; he is serving, I think, in an outstanding capacity during atime in which many things are going on what with the passage of the comprehensive human rights ordinance and with the staffing of the human rights attorney and with the affirmative action program being developed he has been a very valuable individual; he has also been a very close personal advisor on various community and personnel problems arising that concern the mayor's office. Thank you.

Councilman Davis moved that the Council accept and endorse the mayor's recommendations for these three appointments to the Human Rights Commission. Councilman De St. Croix seconded the motion. The motion was carried by a unanimous voice vote.

Councilman De St. Croix moved that Ordinance No. 73-25 be introduced and read by the clerk GENERAL AND SPECIAL by title only, with posting for two weeks as required by ordinance. Councilman Morrison seconded the motion. The motion was carried 73-25 - annexation by a unanimous voice vote.

INTRODUCTION OF ORDINANCES

Grace Johnson read Ordinance No. 73-25 by title only.

Larry Owens, City Attorney, explained that this is the voluntary annexation of property north of the Howard Johnson Motor Lodge, owned by central states development corporation.

Councilman De St. Croix moved that Ordinance No. 73-26 be introduced and read by the clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

73-26 - establishing position of development coordinator

Grace Johnson read Ordinance No. 73-26 in its entirety.

Councilman De St. Croix moved that Ordinance 73-27 - establishing No. 73-27 be introduced and read by the clerk. position of drug abuse The motion was seconded by Councilman Morrison and carried by unanimous voice vote.

coordinator

Grace Johnson read Ordinance No. 73-27, in its entirety.

Councilman De St. Croix moved that Ordinance No. 73-28 be introduced and read by the clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

73-28 - bark board re-organization

Grace Johnson read Ordinance No. 73-28 in its entirety.

Councilman De St. Croix moved that Ordinance No. 73-29 be introduced and read by the clerk. Councilah Morrison seconded themotion. The motion was carried 73-29 - Salary Ordinance

by unanimous voice vote.

Grace Johnson read Ordinance No. 73-29.

Councilman De St. Croix moved that Appropriations Ordinance No. 73-3 be introduced and read by the clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Appropriations
Ordinance No. 73-3

Grace Johnson read Appropriations Ordinance No. 73-3.

The Department of Redevelopment, with assistance from Will Linder, Vogt Sage and Pflum and Cliff Curry, Odle and Burke, presented the second year NDP plans for the westside and the CBD to the council.

The presentation and discussion by members of the Council is on tape in the Council office. Interested persons are also referred to the document "West Side Area, Central Budiness District Neighborhood Development Program Application, April, 1973".

At 9:00 p.m. the Council heard petitions and communications from the audience.

Residents of East and West Windemere addressed the Council and presented to the Council petitions signed by 27 residents opposed to the opening of Covenanter Drive.

Councilpresident Zietlow explained that there was nothing that the council could officially do about the problem but that she would personally hand the petitions to the mayor the next day and she thought that each councilmember could individually express his views to the mayor on the subject.

Residents opposed said that the street was not designed for heavy traffic, either from the structural point of view or in terms of curvature. They said they were not interested in having the road opened for their own convenience.

The council resumed consideration of the NDP proposal.

Councilman De St. Croix moved that the agenda AGENDA REVISION be altered to permit consideration of Resolution No. 73-29 at this point in the meeting. Councilman Ackerman seconded the motion.

The motion was carried by a unanimous voice vote.

Councilman De St. Croix moved that the Resolution No. 73-29 be introduced and read by the clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Resolution No. 73-29

Grace Johnson read Resolution No. 73-29.

Councilman De St. Croix moved that Resolution No. 73-29 be adopted. Councilman Behon seconded the motion.

THE MORIOU WAS CARRIED BY A ROLL CALL VOTE OF AYES 8, WAYS 0.

SCHEDULED BUSINESS

NDP Reports - second year westside and CBD plans

PETITIONS AND COMMUNICATIONS

Covenanter Drive Opening

Councilman De St. Croix moved that Ordinance No. 73-21 be advanced to second reading and read by the clerk by title only. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

ORDINANCES - SECOND READING

No. 73-21 - annexation 1804 N. Monroe

No. 73-22 - annexation 1724 East Hillside

Grace Johnson, City Clerk, read Ordinance No. 73-21 by title only.

Councilman DeSt. Croix moved that Ordinance No. 73-21 be adopted. Councilman Behen seconded the motion.

Councilpresident Zietlow explained that this is the voluntary annexation of property at 1804 N. MOnroe.

OORDINANCE No. 73-21 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, NAYS 0.

Councilman D &t. Croix moved that Ordinance No. 73-22 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.

Grace Johnson, City Clerk, read Ordinance No. 73-22 by title only.

Councilman De St. Croix moved that Ordinance No. 73-22 be adopted. Councilman Ackerman seconded the motion.

Councilpresident Zietlow explained that this is the voluntary annexation of property at 1724 East Hillside.

ORDINANCE NO. 73-22 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, NAYS 0.

Councilpresident Zietlow said that the neighborhood associations for the areas concerned with the proposed third street-atwater project had asked that the council postpone consideration of the appropriation for this project until they could meet and discuss it themselves. She noted that they were having a meeting this evening.

Item #73 of Board of Public Works Budget from Appropriations Ordinance No. 73-2

Councilman De St. Croix moved that Ordinance No. 73-23 be advanced to second reading and read by the clerk by title only.

Councilman Ackerman seconded the motion.

The motion was carried by a unanimous voice vote.

No. 73-23 - Board of Housing Quality Appeal

Grace Johnson read Ordinance No. 73-23 by title only.

Councilman De St. Croix moved that Ordinance No. 73-23 be adopted. Councilman Ackerman seconded the motion.

Tom Hipple, Department of Redevelopment, addressed the Council: This would be a five-member board to oversee the enforcement of the housing code. It is necessary that we have this if we are going to really have an effective housing code enforcement program; it is mandated in municipal law already - in the housing code we are instructed to appoint this. If we make a determination that someone is in violation of the housing code - say the electrical wiring is faulty and they

need to have the wiring repaired - this is a major expense. As it stands right now they have no way to appeal my decision; perhaps my inspector was in error or perhaps there is a situation which, though it may not meet code is not necessarily unsafe—I've got sitting in my drawer rightnow ten or fifteen things that I feel my ruling is unfair but I am not in the position of where I can do anything about it. The inspector has said that this needs to be done and we have had to follow the letter of the law; there is no way for us to get around one of those decisions. This owuld give a person the chance to appeal our decision and I would feel better making those decisions if I knew that when I wrote someone a letter, if he felt I was treating him unfairly that he could appeal my decision. I think this board is very essential; we don't have an effective program at all unless we have this board.

Councilman De St. Croix: This council has repeatedly set up appeals procedures when it has set up enforcement statutes and in support of fairness, truth, justice, the american way, I move that this ordinance be speedily passed.

Councilman Mizell: In essence this would serve as a review board for administrative decisions. I just wonder if it is wise and consistent with the intent of this ordinance then to have persons who are part of the administration serve on that board, so that we would have administrative people reviewing administrative decisions.

Mr. Hipple: The law does not mandate that - it says that anyone may. I amnot sure that that is not a good idea - I thinkwe should leave our options open. We do need technical experts on the board. It would be foolish for someone in my position of sitting on the board to review my own decisions.

Councilman De St. Croix: I share Councilman Mizell's concern and I would like to offer an amendment to the ordinance to reflect that concern. I think that there should be the ability to appoint persons who are elected, appointed, or otherwise employed by the City of Bloomington perhaps because they may have some special expertise and knowledge regarding housing codes or electrical codes or inspection procedures or whatnot that the board may very well need but I would like to amend section 17.18.040 to read as follows: "Members of the board of housing quality appeals shall be appointed by the mayor and the common council of the city of bloomington. Three members tobe appointed by the mayor and two members to be appointed by the common council." That is in an attempt to ensure general input so that we don't come upwith a situation where we find an administrative arm backing itself up in its decisions by appointing members who will reinforce decisions it makes. Or, I offer as perhaps an alternative that Members be appointed by the mayor with the advice and consent of the council. I don't know, that's open to discussion - there has beenno second to my motion. I am willing to have general discussion before it's seconded.

Councilman Morrison: Something that might work out very well with this is to have a clause in there that three members shall be knowledgeable in the trades, like carpenters, electricians, plumbers. So therefore when this person would go before these people then they could make a much more sensible judgment.

Councilpresident Zietlow: Personally I would think that should be taken into consideration but I don't really like writing that sort of clause into the ordinance.

Councilman Morrison: Well I think if you are going to have this - I mean if you are going to have people that are knowledgeable in construction - you can't take the history professor and expect him to know about the wiring in his house.

Councilpresident Zietlow: We have in lines 19 through 21 "shall be qualified for their duties by education and experience in the area of building and housing."

Mr. Hipple: For you information, Councilman De St. Croix, the BOCA code calls for the appointment of this board by the mayor. That does not predispose you from doing what you deem necessary but I thought you should be aware of that,

Councilman De St. Croix: I am aware of that but I am also aware of the concern that Councilman Mizell has raised and I think it is a legitimate concern.

Councilman De St. Croix moved that Ordinance No. 73-23 be amended by changing section 17.181040 to read as follows: "Members of the Board of Housing Quality Appeals shall be appointed by the Mayor of the City of Bloomington. All such appointments shall be subject to the advice and consent of the Common Council of the City of Bloomington." Councilman Davis seconded the motion.

There was no discussion of the motion. The motion was carried BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman Mizell: I think it is very important to have the expertise which is available in the planning department, engineering deprtment, etc. available to a board of this type but if it is in fact to be a successful and effective board to review an administrative decisions I think you would be weakening the function of that board by allowing administrative people to serve on that board. I would recommend that ad advisory group, composed of people from planning, engineering and the other appropriate bodies be made available to this board and that they not serve on the board. I think it would be a much more effective board.

Mr. Hipple: I personally feel the same way. The reason this was put in there was not mandated it in any way but simply so that there would not be any question if it was determined by the mayor with the advice of the council that it was necessary to have an official of the city - that it would permissible to do this. In other words, that is not mandated that anyone from the city -employed by the city be on there - it is there so that people understand from the very begining that the possibility is there. The possibility would probably be there without the clause even.

Councilman Mizell: I think it weakens any board which is set up to review its procedures to have members of that administration sitting on the board. I move that Ordinance NO. 73-23 be amended by rewriting the last sentence of section 17.18.030 so it reads as follows: "Members of the Board may not be persons who are elected, appointed, or otherwise employed by the City of Bloomington." Councilman Behen seconded the motion.

Councilman De St. Croix: I would like to speak against the motion. I believe that by setting up an exclusionary situation like that we may be cutting off our nose to spite our face. I think that councilman Mizell's concern is well-based. Iwould like to point outthat unlike in some other situations where we have not had or required advice and consent of the council in appointments there may have been a question as to the advisability of some appointments. However, rather than creating a situation where perhaps in the future it may very well be that the expertise and knowledgeability of some person that the city has been lucky enough either to bring on to the payroll or perhaps - I would like to point out that the legislative arm of government would be barred from involvement in this body which does not make administrative decisions, which in fact may very well want to bring a certain philosophical orientation or commitment to the housing quality appeals board - a person such as councilman Towell who has fought long and hard for the development of not only this type of ordinance but the one that this supports. That exclusionary type of clause I think limits us to a point that we may not want to be limited to. On the other hand I think we have to exercise the type of control with the advice and consent clause that protects the kinds of interests that Councilman Mizell is concerned about. I perhaps would suggest that rather than amending lines 23 to 26 to exclude members of the administration that we just delete those sentences from the ordinance .

Councilman Fix said he was very much in favor of ensuring that it would be a citizen board to ensure citizen input. Councilman De St. Croixsaid that he did not think his suggestion would exclude that input: I don't think this council would give its advice and consent to appointment of a board that would not reflect that citizen input.

Mr. Hipple: The thing that moved me the most to draft this ordinance is that we are supposed to be enforcing the letter of the law to provide "safe, sanitary and decent housing" for everyone in the City of Bloomington. The letter of the law doesn't really meet those requirements. I am enforcing the letter of the law and I need the board to overrule me sometimes. I personnally would not want to be a part of a packed board which would do nothing but back up my decisions; why have the board them?

Councilman Mizell: It is not the intent of this amendment to close the ear of this board to knowledgeable people in the city. rather, I think, in the interest of equity I just believe it is good practice to have an administrative decision reviewed by people who are not directly connected with the administration. Ithink it would be wise for this board to be encouraged to get contributions from all segments of the community, including those knoweldgeable in the planning, engineering, etc. But I think it is not good practice to have people connected with a decision to be asked to review that decision.

Councilpresident Zietlow: I fully agree with you but I don't like the idea of spelling it out like that. I think the "advice and consent" should really operate to prevent that from happening. We will be able to approve or disapprove appointments.

Councilman De St. Croix: I would also like to point out that if we become extremely restrictive in the operation of the board in terms of appointments or qualifications what we are in fact necessitating the formal creation of an advisory board which is again adding another bureaucratic insulating level to the whole workings of government and making it even more cumbersome, etc. I think that the concerns raised are very well protected with the advice and consent clause.

Councilman Ackerman: I would also like to speak against this amendment. I know the intent is not to exclude people but I think it might be the result. I think this is a very important board and I would like to be assured that we get the best qualified people on it, even if some of them happen to be connected with the city. I think it is too important to build in a clause which we might exclude people who would be highly competent. I think the idea of creating an advisory body would be creating too much bureaucracy.

Councilman Fix: I would be greatly surprised if we would ever not give our consent to an appointment.

Councilman DeSt. Croix: If I felt that a board were being manipulated I would not have any qualms or reservations about personally disapproving an appointment like that.

Councilman Mizell: I would be very happy to entertain an amendment to this motion to provide for the development of an advisory board at the pleasure of the hearing board itself. These people will have definite responsibilities with regard to planning, engineering, etc., they can serve as a valuable source of advice - that is their appropriate position.

Councilman De St. Croix: Rather than amending the ordinance to create an advisory board I would like to think that the board of housing quality appeals itself would be able to set up xxxx procedures and develop a pool of expertise that it can draw from as it feels it can develop that. We can't really project the function of a board that doesn't exist and I think the members of the board are going to be the one s that are going to have to set up those guidelines.

(There was further discussion of the motion, essentially reiterating points previously made.)

THE MOTION FAILED by a ROLL CALL VOTE of Ayes 4, Nays 4 (Aye: Morrison, Mizell, Behen, Fix)

Councilman Fix moved that Ordinance No. 73-23 be amended by adding, at the end of the last sentence of section 17.18.030, the following phrase: ", but such members shall not constitute a majority of the Board." Councilman slizell seconded the motion.

Councilman Davis: That would seem to be a much more acceptable solution.

Councilman Ackerman: Yes, that speaks to the concerns I have raised very well.

The motion was CARRIED BY A ROLL CALL VOTE OF AYES 7, Nays 1. (Nay: De St. Croix).

Councilman De St. Croix moved that Ordinance NO. 73-23 as amended be adopted. Councilman Behen seconded the motion.

The motion was CARRIED BY A ROLL CALL VOTE OF AYES 8, Nays 1.

Ordinance NO. 73-24 be advanced to second an economic development reading and read by the clock? reading and read by the clerk by title only. Councilman Ackerman seconded the motion.

an economic development

Grace Johnson read Ordinance NG 73-24 by title only.

Councilman De St. Croix moved that Ordinance NO. 73-24 be adopted. Councilman Ackerman seconded the motion.

Councilpresident Zietlow read the following letter from the Chamber of Commerce:

"It will be impossible for president William Butler or me to be presentat the common council meeting this Thursday night. Stare sending this letter to place the position of the greater Bloomington chamber of commerce on record in regard to ordinance No. 73-24. As you know, this ordinance, if adopted, would establish an economic development commission for the city of Bloomington. The executive committee of the chamber has reviewed the ordinance at its meeting on Friday, March 30, 1973. The executive committee is empowered to att for the Board of Directors between the board's regular monthly meetings. The chamber has always been most interested and active in the economic development of the monroe county community. By action of the executive committee the chamber supports the establishment of this commission as outlined in the ordinance. In addition, we offer the full resources of the chamber offices, staff and materials to assist the commission in its work. We offer these in any way that can be useful and helpful and pledge to work with the commission in any way in which we may be asked to cooperate. Sincerely, Charles Stroh, Executive Vice President."

Councilman De St. Croix: "I think this councilshould go on record commending the chamber of commerce for its signal of cooperation and support in the efforts of this administration. I think that this council should speedily adopt Ordinance No. 73-24.

Councilpresident. Zietlow: I would like to add my gratitude for this offer of help and cooperation from the chamber. I think it is essential to the success of the commission.

(The council took a five-minute break in business).

Ordinance No. 73-24 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Resolution No. 73-25 be introduced and read by the Clerk. councilman Behen seconded the motion. The motion was carried by a unanimous voice vote:

RESOLUTIONS

No. 73-25 - transfer of funds

Grace Johnson, City Clerk, read Resolution No. 73-25.

Councilman Be St. Croix moved that Resolution No. 73-25 be adopted. Councilman Bohon seconded the motion.

Councilman Mizell: I think this is an admirable request. I understand these people want to use this money for the beautification of Bloomington during Bloomification Week, to buy shrubs, trees, plants, etc. My only concern is that the amount is rather small. I hope that the next time around we would be able to get some additional funds and I would hope perhaps we might set up some fort of a matching program where if citizens and businesses in the community might want to donate some money, that the city might try to match that, and move on with this program at a faster rate.

Councilman De St. Croix: I would also like to point out that along these lines, other cities - I believe Indianapolis did last year - initiated a planting program at Christmas time in cooperation with local nurseries where people could buy the trees bagged, roots and all in soil and donate the tree after the Christmas season to the city for planting on city property and could, in fact, write off the tree as a tax deductible gift to the city. The city received a large number of trees free, from citizens in the community that way. I hope that we can use this Bloomification week as the launching pad for an overall all-year effort to beautify Bloomington in the future.

Mr. Hodenfield, Aide to the Board of Public Works: They are anticipating buying in the neighborhood of 250 to 300 trees, shrubs, etc. We are buying them from soil and water conservation and therefore they will be cheaper. Part of them will be small little seedlings.

The Resolution NO. 73-25 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Resoluton NO. 73-26 be introduced and read by the Clerk. councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-26 - Sedimentation Survey of Lake Monroe

Grace E. Johnson, City Clerk, read Resolution NO. 73-26.

Councilman De St. Croix moved that Resolution NO. 73-26 be adopted. Councilman Ackerman seconded the motion.

John Patton, Chairman of the Environmental Quality and Conservation commission addressed the Council: The water quality subcommittee should be credited with proposing this resolution. Mrs. Restle has compiled some statistics which suggest that something should be done very soon. As the resolution points out, such reservoirs are not surveyed for sedimentation measurement very promptly by the Corps of Engineers. Their normal schedule is to do it within ten years if possible and it generally is not possible. They are deferred longer more often than not. The corps has at the present time taken some preliminary steps in the form of driving about eight rain stakes for these measurements - measurements to be taken some three or four years away, with no assurance that it will be done that fast. The reservoir is at a particularly critical stage now, because of all the discussion about development. If we do not do it promptly we will never again have an opportunity to interpret the effect of that development. Some development will be taking place immediatelly; sedimentation surveys should be made as early in this history as possible to guide the city in its position about development around Lake Monroe. We are all aware that it is not clear that the jurisdiction is ours but we should at least have a municipal position about it. The figures to which I made reference are on five reservoirs on which the surveys have been completed here in the midwest fairly recently. One of them in the vicinity of Cincinnati on west fork mill creek was designed by the corps of engineers with a prediction that the sedimentation rate would have a factor of .5 (it is actually expressed in acre feet per square mile per year). After eight years the annual rate turned out to be 1.08 - the reservoir was designed for a 100 year life expectancy and it declined to something like half of that - something like dop in that period.

Caglesmill reservoir here in Indiana was designed with the expectation of a sedimentation rate of .2, after nine years it is .54 - the life expectancy is, again, considerably less than half. Mansfield Reservoir here in Indiana has the best of the Indiana records reported. It was predicted to be .2 acre feet; measurements after 5 and one half years showed .26 - not very much above the prediction. The only one of these that is not substantially more than the predicted rate is the Buckhorn reservoir in Kentucky, which is now 6.6 years old; the predicted rate of sedimentation was .5 acre feet, that actual rate after 6.6 years is .413, which is less than predicted. We regard as significant the fact that Buckhorn reservoir is the undeveloped one of these reservoirs; it has nothing around it except one motel, and a few launching ramps. The environmental quality commission strongly urges the passage of this resolution with the hope that the city can take some step to speed a sedimentation study as sonn aspossible. We used the word preliminary in our recommendation because it seems unlikely that a full study which we have been given to understand is a very time consuming and expensive thing can be either approved or done in time to get us the figures in time to appraise development around the lake. Thank you.

Councilpresident Zietlow asked Mr. Patton what kind of cooperative action the city could take that would be significant in this matter. Mr. Patton: We believe that from our contacts with the Corps of Army Engineers that they would be responsive to stimulation by public groups. I don't know the answer to thequestion of how we could cooperate with the county on this, because we can speak only for the city. The lake is of course, in the county, and it would, I think, greatly add to the stimulus if Monroe County would join the city in a plea for the corps to take prompt action.

In response to a question from Councilman Ackerman, Mr. Patton said he did not think the corps would charge the city or the county for the study. I think the delays involved are caused by their lack of funds to carry out as many of these surveys as they wish. I believe what we are really asking is that they move us up on the schedule that is funded by the Corps. If the Corps will do it I believe it will not be an expense to the city.

Councilman Mizell: I think it is critical that we have this study performed as early as possible and set up some sort of a benchmark and watch it very carefully to see what effect this development is having on the lake. I urge the passage of this resolution.

RESOLUTION NO. 73-26 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 9, Nays 0. (Councilman Towell arrived during the discussion of this resolution.)

Councilman De St. Croix moved that Resolution No. 73-27 be introduced and read by the Clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-27
Bloomification Week

Grace E. Johnson read Resolution No. 73-27 in toto.

Councilman DeSt. Croix moved that Resolution No. 73-27 be adopted. Councilman Ackerman seconded the motion.

THE MOTION WAS CARRIED, AND RESOLUTION No. 73-27 ADOPTED, BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that Resolution No. 73-23 be introduced and read by the clerk. Councilman Ackerman seconded the motion. The motion was carried by unanimous voice vote.

No. 73-28 - community activities

Grace I. Johnson road Resolution No. 73-28:

Councilman De St. Croix moved that Resolution No. 73-28 be adopted. Councilman Ackerman seconded the motion.

Councilman De St. Croix: Iwould like to commend councilmembers Ackerman and Zietlow for one of the most extensive pieces of research I've seen gointo a resolution. I hesitate to call this the big pat on the back but I think it is quite deserving.

Councilman Ackerman: We have three resolutions tonight — one dealing with Bloomification week, one commending the doctors of this county and this one — it seems to me that the very nature of news coverage in this community emphasizes sometimes the — as it always does — the tension and controversy that does go on in the community. It seems to me that we in Bloomington are particularly blessed in that we do have an awful lot to be proud of and that we should encourage and praise those things which are done well — we should be aware of them. We should also encourage people who are putting all they can into this community. I would like to say specifically for this resolution that we are dealing withnow that a lot of the athletic awards which were won both by the high schools and Indiana University were begun in the little league and boys club and other things that are sponsored by local merchants of this town. I think that a lot of commendation, along with this should go to those merchants in the city who do support the athletic events and teams and that I would like to encourage the people of Bloomington to supportthose merchants who do support our teams. Similarly, in the Bloomification and beautification of the city, it seems to me that there are some merchants who have essentially gone out of their way to beautify the city — the areas around their stores and others who have not. I think I would also like to encourage the people of Bloomingtonto support those merchants who have shown their pride in the community by the support and beauty they bring to the community.

RESOLUTION NO. 73-28 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that Resolution No. 73-30 be introduced and read by the clerk. councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-30 - Health Services Bureau

Grace E. Johnson read Resolution No. 73-30.

Councilman De St. Croix moved that Resolution No. 73-30 be adopted. Councilman Towell seconded the motion.

Councilpresident Zietlow: The community
Action program and the Monroe and Owen
County Medical Society after long discussion
agreed that they would set up an office to
provide advice and certify 300 families
in the county for on-going medical care.
The Doctors agreed to cooperate in this and this
is a big step forward I think in the medical situation
in the community.

Councilman De St. Croix: I think this represents one of the finest hours for the collective grouping of the medical profession in this community.

Resolution No. 73-30 WAS ADOPTED by a ROLL CALL VOTE OF AYES 9, Nays U.

Councilman Towell explained his vote on Resolution No. 73-30: I do think that this is an important firststep but it is only a first step. Councilman De St. Croix concurred in Councilman Towell's analysis of the situation.

Man Bianchi, Administrative Assistant for the Environmental Commission, addressed the Council: I think you all received copies of the annual report about two weeks ago. I would like to go over a few of the things that we

REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS

Environmental Commission

thought were significant over the year and mention some of the things that are coming up this year. The paper recycling experiment that was done last spring by the solid waste committee has flowered into fruition in the city. We are very pleased with this and we are keeping an eye on it. We hope to perhaps have other tecycling programs to propose in the future but there is nothing definite now. Lake Monroe has been and will continue to be a continuing concern of ours the water quality committee is responsible tonight for the sedimentation control resolution. They are also working on a limited study of lake lemon now. noise committee last year did a survey of noise complaints in the city in connection with the police department and also did a study of attitudes in the city toward noise and this will be presented very soon to the commission along with a noise ordinance that they are working on and hope to propose - it is presently in the drafting stage. They also are having a hearing clinic this week - this Saturday at the college mall, the purpose being mainly to publicize hearing problems but also to provide an opportunity for anyone who wants to to have their hearing checked free of This is being done in connection with the speech and hearing clinic at the University. Our one effort over the year with industrial pollution continues to be very successful; we continue to have good cooperation with the corporation involved. Our legislative program that we proposed and which we asked the Council to support - all of the resolutions which the council supported, except the one on phosphate ban were defeated. phosphate bill did pass in the State legislature. Our historic preservation committee has prepared a file on all of the city's structures of architectural and historic importance, and this file is available at 401 North Fess Street. They are also presently working on a booklet on the walking tour guide to downtown Bloomington; this is something they have just begun. They are trying to determine what the possibilities would be of preserving old brick and limestone sidewalks to make sure that they are not destroyed with construction and to make sure that if they can not be preserved where they are that they could be preserved and put in somewhere else. The land use committee is working on recommendations on development on the 37 bypass and they are also working on a sediment and erosion control ordinance, which also should be ready soon. The air quality committee I believe is being reorganized and there should be some information at our next meeting about the pollution monitoring devices which we are, hopefully, going to buy sometime this year. Thank you.

In response to a question from Councilman Ackerman, Jan Bianchi said that the environmental commission's list of historical and architecturally significant houses was presented as an addendum to the list of historical structures prepared with the NDP plan, as a listing of buildings that should also be considered. Our file of buildings covers the entire city. They used, in preparing the addenda list the criterion of being 100 years old or older; it is historical rather than simply being architectural. One thing the environmental commission is concerned about is our relationship with other boards and commission and departments of the city. We feel we could be used more in an advisory capacity, and have a chance to review ordinances before they are presented to the Council. We have been inviting representatives from the different departments to come to our meetings, to talk to is about their problems and we have been talking to them about ours, and trying to develop at least some communication.

Mone.

REPORTS FROM STANDING COMMUTALLS

REPORTS FROM EPICIOL COMMITTEES

Hone.

None.

-14-REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

MESSAGES FROM COUNCILMEMBERS

Councilman Behen: Pertinent to the bus contest, the winners were announced and prizes awarded. I am sure you have all followed with delight the ridership we are enjoying -many of us participated in Richard Behen opening day ceremonies, launching the bus system. I would like at this time to thank the Hoosier Outdoor Advertising firm which out of the goodness of its heart donated six or seven billboards around the community in support of riding the bus system. We will very shortly have a number of campaign-type "ride the bus" buttons with the bloomington transportation logo on it and we are going to urge all the council people to wear them and the employees of the downtown and college mall stores towear them. We will continue to make every effortthat we can to possibly see if it can be as successful when, as themayor said at the price it is now we can only hope that it willcontinue to be a success with people when there is a charge for it. We are in the process also of coming up with the transfers and the passes and that sort of thing it should all materialize in the next ten days or so.

Councilman Mizell: I would like to take this opportunity to, for the record, commend Mr. Wray and his associates make the bus system work so well up to this point. I would also like to commend Councilman Behen and Councilpresident Zietlow for taking the time to go out to the schools and acquaint the schooldhildren with the bus system and make the buses available to them for trial rides. I would also, at this time, like to express a concern of my in that I consider the bus system as a service to this community and I think it should be extended to the fullest extent possible to the entire community. I think the intent of the visits to the schools was to interest the schoolchildren in utilizing the buses. I admire the transportation department trying to arrange the bus schedule so that as many traffic generating points as possible would be included in it to decrease whatever deficit we might have to a minimum. However I think the children of the area should be considered because this will enable them to take advantage of a lot of the facilities in the community which normally are not available to them. I think that particularly now with the approach of the little league season youngsters in our community are going to want to have a way to get to Bryan park and to get to Bryan pool, etc. I have to register some concern about various areas of the community which are mt partof the corporate city, such as apartment complexes - I can think of one, Meadow Park in particular - which may be a traffic generator - it is not a part of the city - getting bus service while other communities which are helping to support the buses - will in the future support it through tax dollars - children in these areas will not be afforded the opportunity to use these buses. I am talking about places like Cascades, Fritz Terrace, Hoosier Acres, Grandview Hills, Eastern Heights, Parkridge east, and a number of other communities. I would like to encourage the transportation department to rearrange their schedules so that children from these areas can use the buses, particularly during the summer recreation months - to make these facilities which are limited at the present time - to make them available to as broad a population of children and young adults as possible. I recognize that the park and recreation department is trying to get a bond issue passed which would make these facilities more broadly based in the community; but Ithink now a public transportation system is a way of bringing people in to the facilities that we have available.

Councilman Towell: I am sorry I was not present for the vote on the appointment of Reverend Webster to the Human Rights . Commission: I am very much in support of this appointment.

Al Towell

I would alsolike to say that I support many of the things that Councilman Bizell has said. I think if you go back to the original debates on setting up the bas system you will find that theed are the reasons manyof us supported the bus system in the first place. I am very pleased with the buses system so far. The times that I have ridden on them the thing that I notice is that all types of people who would never meet except in this way are talking to one another; that seems to me very important.

Councilpresident Zietlow: And people are going places that they might not have gone otherwise.

Councilman Towell: some of the older people on the bus when I was riding were seeing parts of the city they had not seen in a long time. I am very pleased with what it is doing for the sense of community.

Councilman De St. Croix: I would just like to commend Councilman Behen and Councilwoman Zietlow for the work they have been doing on the bus promotion and also to commend Councilman Ackerman as the winner of the council ride the bus poster contest for his impressionist poster of a city bus.

Councilpresident Zietlow: We have about 852 posters and there must be almost that many stores in town and each one can have one.

Councilman Behen: maybe the boy scouts or one of the fraternities or sororities would like to help us distribute them.

Councilpresident Zietlow adjourned the meeting at 11:15 p.m., E.S.T.

ADJOURNMENT

Council President

ATTEST:

Many/Council Secretary

April 5, 1973 BUDGET TRANSFERS

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: ENVIRONMENTAL COMMISSION

FROM: #21 - Traveling Expenses \$50

#25 - Repairs \$100

#72 - Equipment . \$50

To: #37 - Other Supplies \$200.

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Charlotte T Zietlow, President Common Council, City of Bloomington

APPROVED:

Francis X. McCloskey, Mayor City of Bloomington, Indiana

ADOPTED: April 5, 1973

RESOLUTION NO. 73-26

WHEREAS, the City of Bloomington, Indiana is dependent upon Lake Monroe Reservoir for 64% of its water supply, and

WHEREAS, The City of Bloomington, prior to the creation of Lake Monroe Reservoir, had a history of severe water shortage because the condition of the underlying limestone makes impoundment impractical if not impossible, and

WHEREAS, surveys conducted by the Army Corps of Engineers of similar reservoirs, experiencing increased land use in their watersheds, are suffering alarming sedimentation rates which greatly decrease the projected life of these reservoirs, and

WHEREAS, sediment pollution is considered by the Army Corps of Engineers to be more critical than sewage or industrial pollution, and

WHEREAS, the Army Corps of Engineers is behind in its surveys of reservoir sedimentation rates and may not conduct a full study of Lake Monroe for four or five more years, and

WHEREAS, in lieu of a full study a preliminary survey would at least provide the critical information which will be needed to to guide development in the Lake Monroe watershed,

NOW THEREFORE BE IT HEREBY RESOLVED that the Common Council of the City of Bloomington take cooperative action with Monroe County to urge the Army Corps of Engineers to make a reconnaissance survey of the sedimentation rate of Lake Monroe at its earliest possible opportunity in view of the probable effects of the proposed developments around Lake Monroe.

Charlotte T. Zietlow, President

Common Council

Thence L. III Francis X. Mcloskey

Mayor

Adopted: 1913

RESOLUTION 73-27

WHEREAS, the gray coat of winter has been shed and replaced by the green cloak of Spring with budding trees, flowers and shrubs, and;

WHEREAS, trees, flowers, shrubs, and other plants beautify our homes, roadsides, businesses and other public places, and;

WHEREAS, trees and other plant life provide a setting with with pleasing shapes and patterns, and a variety of seasonal color unsurpassed in shade and hue, and;

WHEREAS, trees and other plant life are an invaluable psychological counterpoint to man-made urban settings, and camouflage harsh scenery and unsightly city-scape and soften the outline of masonry, metal and glass; and

WHEREAS trees bring benefits to existing property owners in the surrounding area and enhances the economic stability and value of property; and

WHEREAS the city's Street Department will conduct its annual spring clean-up of unwanted items, from April 9th through April 20; and

whereas a city-wide beautification effort has been initiated by the Mayor's office and is being coordinated by the Bloomington Internship Project of the Indiana University School of Public and Environmental Affairs, with the assistance of the Beautification sub-committee of the city's Environmental Commisssion; and

WHEREAS civic organizations, such as the Boy Scouts, Girl Scouts, 4-H Club, local businesses and University groups intend to actively participate in beautification and clean-up efforts this Spring; and

WHEREAS April 7-14 has been officially designated by Mayor Francis X. McCloskey as Bloomification Week in Bloomington,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington, Indiana that said Council gives its full support to beautification efforts that will be ongoing during Bloomification Week, and that the council further encourages all Bloomington residents to join in the communitywide effort to clean-up and beautify our community.

Charlotte Zietlow, President

Francis X. McCloskey

Mayor Francis X. McCloskey

adopted: April 5, 1973

WHEREAS the Bloomington High School South Panthers gained statewide distinction for themselves and for the City of Bloomington by excellence in athletic competition—

by winning the 1973 Indiana High School Athletic Association wrestling championship under Coach Kay Hutsell, with individual championship won by Doug Hutsell, and

by placing fifth in the Indiana High School Athletic Association swimming meet under Coach Ed Tally, with two individual championships won by Mike Kearney; and

WHEREAS Bloomington High School South has gained nationwide distinction for itself and the City of Bloomington by excellence in academic competition by producing 5 national merit scholars: Clark Carol, Robert Hoff, Daniel Jackson, Arthur Sturbaum, Bruce Toby; and

WHEREAS the Bloomington High School North Cougars have gained statewide distinction for themselves and the City of Bloomington by excellence in athletic competition--

by Dan Wiley's winning an individual championship under Coach Bo Henry in the 1973 Indiana High School Athletic Association wrestling tournament; and

NHEREAS Bloomington High School North has gained nationwide distinction for itself and the City of Bloomington by excellence in academic competition by producing two national merit scholars: Curtis Ridge, Jennifer Westfall; and

WHEREAS Monroe County Community Schools Corporation Athletic Director Lavern Burns has gained distinction by receiving the Indiana High School Athletic Directors Association Award of Athletic Director of the Year; and

WHEREAS Indiana University has gained nationwide distinction for itself and the City of Bloomington for excellence in athletic competitions--

by Winning the Big Ten Cross Country Championship under Coach Sam Bell, and

by winning the Big Ten Indoor Track Championship under Coach Sam Bell, and

by winning the Big Ten and National Collegiate Athletic Association Swimming Championship under Coach James "Doc" Counsilman and individual NCAA championships won by Fred Tyler, Gary Connelly, and two individual NCAA championships won by Gary Hall and Mike Stamm and three individual NCAA championships won by John Kinsella, and

by winning third place in the NCAA basketball final championship tournament, and

by the Women's Basketball Team, under Coach Bea Gorton, placing fourth in the Association of Intercollegiate Athletics for Women National Competition; and

WHEREAS the student body and faculty of Indiana University have gained nationwide distinction for themselves and the City of Bloomington for academic excellence--

by Nelda Nelson's winning fourth place in the Metropolitan Opera National Auditions, and

by Eavid Snodgrass placing second in the National Collegiate Photo Journalism Competition, and

by the award by the French Government of a medal to Professor Najam for his contributions to the advancement of French Culture in this country.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington that the week of April 8-14 be proclaimed "Pride in Our Community Week" for the City of Bloomington, with the hope that such spirit of pride will continue to be nourished and sustained throughout the coming year.

Trancis V. Mc Closkey, Mayor

Fichael Behin

Pabart Davis Councilman

Rubert Davis, Councilman

Wayne Fix, Councilman

Sherwin Mizell, Coundilman

adopted: April 5, 1973

Charlotte T. Zietlow Council President

ach Massans

rian De St. Croik, Councilman

Alfred Towell, Councilman

RESOLUTION NO. 73-27

A RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF BLOCMINGTON, INDIANA, APPROVING THE ORDER OF THE PLAN COMMISSION CONCERNING THE APPROVAL AND SUPPORT OF THE HEIGHBORHOOD DEVELOPMENT PROGRAM, WEST SIDE AND CENTRAL BUSINESS DISTRICT DEVELOPMENT AND SECOND YEAR ACTION PLANS.

WHEREAS, the Plan Commission of the City of Bloomington, Indiana, on April 3 , 1973, passed a resolution approving the Neighborhood Development Program, West Side and Central Business District Development and Second Year Action Plans; and

WHEREAS, it is provided that contracts for financial assistance under the Neighborhood Development Program for the respective project areas be approved by the governing body of the locality in which the project is situated and that such approval include findings by the coverning body;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE City of Bloomington, Indiana:

- 1. That financial aid to be provided is necessary to enable the project involving the West Side and the Central Business District Development and the Second Action Year Plans in accordance with the Neighborhood Development Program.
- The Neighborhood Development Program will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation and redevelopment of the Neighborhood Development Program areas by private enterprise.
- 3. The Neighborhood Development Program conforms to the general plan for development of the locality as a whole.
- 4. The Neighborhood Development Program gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desireable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.
- 5. That the approving order issued by the Plan Commission is approved by said Common Council.

Adopted this 5 day of April, 1973.

Common Council

ATTEST:

Grace E. Johnson, City Clerk

Francis X. McCloskey, Mayor City of Bloomington, Indiana

WHEREAS surveys of Monroe County have indicated a need for the provision of on-going medical care for low-income families, and

WHEREAS the Owen-Monroe Medical Society, together with the Monroe County Community Action Program have recognized the need, and

WHEREAS the members of the Owen-Honroe Medical Society have agreed to work with the Monroe County Community Action Program to provide health care for 300 low-income families in Monroe County, and

WHEREAS, they have thus organized together the Monroe County Health Services Bureau, which bureau began operation on Monday, April 2, 1973,

NOW HEREBY BE IT RESOLVED that the Common Council of the City of Bloomington does highly commend the Owen-Monroe Medical Society and the Monroe County Community Action Program for their actions regarding this major community concern and does encourage these organizations to continue their activities in the orderly provision of health services for all who need them. .

Council President

Francis X. McCloskey
Mayor

adopted: April 5, 1973