

In the Council Chambers of the Municipal Building, on Thursday, April 19, 1973, At 7:00 a.m., E.S.T., with Council president Charlotte B. Zietlow presiding.

REGULAR SESSION  
CITY COUNCIL  
CITY OF BLOOMINGTON  
INDIANA

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

ROLL CALL

Absent: None; all councilmembers were present.

Mayor Francis X. McCloskey; Ted Najam, Assistant to the Mayor; Jim Wray, Director of Transportation; Martha Sims, Controller; James Register, Corporate Counsel; Marvard Clark, Assistant City Engineer; Lawrence Owens, City Attorney; Danny Fulton, Director of Redevelopment; Bill Wilson, Director of Parks and Recreation; Carl Chambers, Chief of Police.

CITY OFFICIALS PRESENT

About 20 people at the height of the meeting, including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the minutes of the meeting of April 5, 1973, be approved as distributed. Councilman De St. Croix seconded the motion. The motion was carried by a unanimous voice vote.

MINUTES

4/5/73

Mayor McCloskey addressed the Council: First of all I would like to seek the advice and consent of the council on two appointments to the economic development commission. I would like to note that of course there is a third slot under consideration now, but because of Mr. Cook's appointment to the utility service board he decided to forgoe appointment to the economic development commission, but I do think in Art Weimer and Mike Kenniff we do have two outstanding appointments to this commission that can do much for the economic and social vitality of the city. Mike Kenniff is a young executive here with the Indiana Bell Telephone company and he is district commercial manager. He has had previous experience in public service with Mayor Lugar; he served on the task force of black capitalism and he also served the mayor as a management consultant in the manpower area. Mike Kenniff is a graduate of Xavier University in Cincinnati and has an advanced degree in management and administration from Indiana University. I would like to say from personal acquaintance he is a very impressive young man. I think he is really desirous of serving the city. Dr. Art Weimer is one of the most prestigious professors in the Indiana University school of business; he is special assistant to Indiana University's president and serves as professor of real estate and land economics; he holds a special chair in this field. He was dean of the graduate school of business at IU, for almost a quarter of a century and again I stress that he is very enthusiastic about the idea of helping the community and the city administration, in a very vital area. I hope to have an announcement or consent from the third individual that he will serve come monday or tuesday. I do think these are two outstanding appointments and with the third one that I have in mind I will have minimal regrets that I did lose an outstanding appointment in Mr. Cooke. I would like to seek Council appointment of reappointments to the environmental commission of Bernie Levine, Dr. Spencer and Don Whitehead.

MESSAGE FROM THE MAYOR

I would like to speak briefly to the developmental coordinator ordinance which is up for second reading. I think the concept is probably well-known to all members of the city council and to many members of the general public. You may remember that one of the first institutions of this position was 15 years ago back in the administration of mayor Lee of New Haven; when that city really got on themove, the developmental administrator as he was known there was in effect a special assistant to the mayor, charged with getting things done in the developmental area. There are national names

coming out of that like Ed Logue who is now the development administrator for governor Rockefeller in the State of New York. Most of The Council have met and consulted with Tom Apple and his credentials hardly need any justification. And I would like to say something that perhaps I had even stressed in previous conversations that this is hardly a new thing or a vanguard type thing in Indiana. I would note that South Bend and Fort Wayne and many other Indiana cities have development coordinators, administrators, being various other titles - special assistant to the mayor for community development, etc. The point that I have made is that there is a need for someone with broad management skills and developmental knowledge to bear down full time in the numerous and diverse developmental areas. By this I mean planning, engineering, utilities, housing and to some degree parks and recreation and other problems that arise, such as capital budgeting, valuation etc. I would stress that obviously and candidly, it is a very important position that will have a substantial effect on policy and programs and I would also stress that as this ordinance is written now this person would be responsible to the mayor, the mayor would remain in charge of setting policy as far as that policy making duties and responsibilities of the mayor's office goes but we would have the advantage of what I would hope would be a first-rate fulltime developmental, managerial assistant. I would stress that in no way would this contravene state laws or state statutes as they pertain to municipalities, perhaps that is the main reason why I called it the developmental coordinator position rather than a developmental director because at least technically speaking the mayor has no right - he can advise or recommend to the plan commission or the city planner but has no legal right to issue orders as such. I think this administration did come in as a pre planning program with a special concern for coordinating on a day to day basis, numerous departments of this city government in which previously coordination was lax and I think that in many ways development policy was moribund. I would stress that we are here tonight to consider the developmental ordinance, the efficacy of the position as sound public policy; we are not here tonight to pass on the merits or demerits of a particular individual being considered or being planned to hold this post. I would stress that I think the managerial assistance is needed; this concept has been endorsed by HUD officials who are concerned about proper staffing of mayors' offices throughout the state. I would note that I have been in consultation with members of the council and they have expressed various concerns to me, many of which I find quite logical and quite reasonable, for example, if there is any councilmember concerned about the salary figure which I think is justified at \$18,000, I don't know of anyone in city government for the money. If there is a strong feeling that this should be reduced somewhat, say, to the area of \$16,000, I would not oppose this but I stress I am not recommending that; I think previously councilmen Fix and Mizell had questions or concerns about how this position would relate to the mayor's office; they have said - and I hope I am not misquoting them - that in the case of the establishment of any such position they would want it very clear that this person does not have the last word on policy, that he is in effect a representative and a staff employee of the mayor. This does not bother me in the least - this is the way that I had envisioned the post so along those lines and in keeping especially with the suggestions from Councilman Fix I would like very much to have an amendment at some point inserted into the ordinance that would basically state that besides the accountability to the mayor and, I would note the accountability to the Council - that come January 1 the funding and the status would be explicitly within the office of the mayor. I think that is a very good thing. He would physically and administratively and fiscally a part of the office of the mayor. I think with all the concern the council has had in developmental areas, all the work that has gone into such things as the zoning ordinance - also our concern for the utilities expansion program which the administration is working on every day, the fact that planning and engineering and various other departments do have joint problems - the fact that we have various projects in mind that will be truly multi-department projects in the developmental area I think this post is needed. I would note that I have been talking about the post for some months. And I had hoped to submit it to the council earlier - at that time there was a strong suggestion that it would not get through the council. Not wanting unnecessary disagreements or confrontations I decided that it would be better to hold the ordinance. With the passage of months and various developmental successes, various councilmen have suggested

to me that perhaps it would be a very good thing if the developmental coordinator ordinance were revitalized and resubmitted. I was not adverse to that and, indeed did so. that is about it on the merits of the case, as to the developmental coordinator ordinance. I would note that I do think it is unfortunate that the issue of the ordinance and the position has somehow become embroiled in poriferal concerns, I would note especially there has been feedback from various areas and I would be quite candid and say from numerous councilman - that somehow it is not right for the particular person I have in mind to serve on the utilities service board and indeed that if I HAD ANY hope of getting this ordinance through this evening that I should pull this individual from the utilities service board. I would like to stress that I made that appointment, which is a mayoral appointment, to the utilities service board because of my honest concern for coordination in utilities and among various departments and also because of my honest concern that it would be very valuable to have someone with the experience of Mr. Wray in utilities as far as personnel and as far as various and sundry fiscal problems. I would note I also appointed two other citizens and the council made two truly outstanding citizen appointments. I would like to say that I do not intend to reverse or pull that appointment. I welcome your advice, your suggestions, your criticisms and indeed, as the council knows, on numerous occasions, I have taken your suggestions as to appointments of people relatively unknown to me to numerous boards and commissions but I would stress that it is my statutory responsibility to appoint the people I ultimately perceive as fit to these boards and commissions. I would also note that it would be a case of mixing apples and oranges if the utilities service board and the developmental coordinator position are not inextricably interlinked so I do hope we can separate the issues of the functional and administrative needs from the issues of personalities and non-related problems. I would also note, since this is a night for candor, that there has been some concern - or feedback, that perhaps this individual would be too powerful - some concern as to who is making the decisions in the mayor's office. Speaking for myself I think and speaking for my staff - there is no doubt in anybody's mind as to who is making the decisions in the mayor's office. I ask you to consider this position on its merits. Thank you.

Councilman Davis moved that Ordinance No. 72-83 be taken from the table. Councilman Behen seconded the motion. The motion was carried by a voice vote overwhelmingly in favor of the motion.

SCHEDULED BUSINESS

Ordinance No. 72-83,  
amending chapter  
12.16 of the municipal  
code

(NOTE: On December 7, 1972, Ordinance No. 72-83 was read at second reading and a motion was made by Councilman De St. Croix and seconded by Councilman Towell that Ordinance No. 72-83 be adopted. A motion was subsequently made, seconded and carried to table the ordinance at that meeting, before a vote was taken on the motion to adopt.)

Councilman Davis moved that Ordinance No. 72-83 be amended according to the amended version presented to the Council and that that amendment be read by the Clerk. The motion was seconded by Councilman Ackerman. The motion was CARRIED by a unanimous voice vote.

Grace E. Johnson, City Clerk, read the proposed amended version. (Since the amended version is essentially what was finally adopted, with a few additions - see below - the text of the amendment will not be included here. See the ordinance book.)

Councilman Ackerman asked about the expiration date of the ordinance. Councilman Davis said that having the ordinance expire at the end of 1976 is a recognition of the fact that this is a bad solution to a bad problem; it is an attempt to put pressure on the city to do something better

about that problem which is the parking pressure in the long-range.

In response to a question from Councilman De St. Croix, Councilman Davis said that there are no towing provisions in the ordinance as proposed; the ordinance does provide for the ticketing of illegally parked cars in private parking spaces but not for towing by the police or by the person renting the space.

Mr. Register, Corporate Counsel spoke to this point: There is no law to support the city renting space so there would be no landlord-tenant liability in connection with this ordinance for the city. It is my opinion that it is illegal for the city to lease space by the curb in streets under any ordinance. I would not want to go so far as to castigate the author of this ordinance; I think Councilman Davis has conceded that this is a difficult problem that is not easily capable of solution. It has already been decided in Indiana that parking meters may be installed in front of properties in order to control the traffic but there has never been any decision that space on a street may be rented. I am not saying that I would not defend this ordinance as to its legality; I am saying that I don't think it could be defended - or any other private parking on the street could be defended but we have said that before many times.

Councilman Behen: I find it difficult to distinguish the difference between renting by the hour and by the year. I would like to ask a question - if a car is parked in violation of this ordinance in a private space and they are in violation of five past offenses, can they then be towed by the police? Councilman Davis said he did not think so.

Chief of Police Chambers said that the police department does have a policy (based on an ordinance) for towing vehicles after five violations but he did not think that violations under this parking ordinance would come under the towing provision.

After much discussion, City Attorney Larry Owens said that he would recommend that tickets given under the private parking ordinance be administratively separated from other traffic tickets given by the police.

In response to a question from Councilman Mizell concerning the committee report, Councilman Davis said that it is an ordinance that the committee did not particularly like but they saw no alternative that would in any way meet the needs of the citizens of this community; We felt that this ordinance would have a minimal impact on the community whereas the removal of the signs entirely would have a severe impact on a limited number of people. But the introduction of a tight ordinance like this - and it is a tight ordinance - would have a very minimal impact on the entire community. That is the main reason that we decided to go this way rather than a number of other alternatives which we considered, one of which was the recommendation that private parking spaces be eliminated completely.

In response to a question from Council President Zietlow, Councilman Davis said that he felt the provisions of the ordinance would in some way alleviate the problems of the people in the neighborhood - who are residents there - who do not have any other parking facilities, who otherwise would lose any possibility of parking.

In response to a question from Councilman Ackerman concerning the difficulty of tracing out of city cars who are in violation of this ordinance, Councilman Davis said that beginning this fall any car with an Indiana license can be traced quickly and easily. Chief Chambers noted that there is follow-up and mail service and the deputy city attorney has been taking people to court over excess traffic tickets.

Councilman Fix said that he hoped the ordinance would not discriminate against people who like to drive pick-up trucks. Councilman Davis said that the provision is for "passenger vehicles" which he thought would include pick-up trucks.

In response to a question from Councilman De St. Croix concerning possible liability of the city for issuing tickets under this ordinance which is of questionable legality, City Attorney Owens said that the city is prosecuting traffic ticket accumulations as civil not criminal suits.

Martha Sims, City Controller, said that she was concerned about the decals to be affixed to the signs - that they might be taken. Councilman Davis said that he thought the decals used on bicycles, for instance, cannot be easily removed.

Councilman Behen said he was in support of the ordinance - he knows that there are many elderly people in the city who cannot walk several blocks carrying their groceries and for whom this ordinance would be a great help.

In response to a question from Councilman Ackerman, Chief Chambers said the police were to enforce the ordinance on a complaint basis which would permit different cars to use the space, providing the renter did not object.

Councilman De St. Croix said the charge for the space seemed to him to be low. Councilman Davis said he thought the fee was high enough to inconvenience people who don't really need the space.

Councilman Ackerman moved that section 12.16.050 be amended by changing the dates from December 31 to June 30 and from February 15 to August 15, in line with Chief Chambers concerns over the various expiration dates of automobile licenses. THERE WAS NO SECOND TO THIS MOTION.

Chuck Dibble, a member of the parking committee, noted that the license does not appear on the decal itself but is on file with the application so this is not really a problem. When the license number changes, it is incumbent upon the individual to have the records corrected.

Mrs. Sims, Controller, said that the money from this ordinance should go into the general fund not the parking meter fund. She said that it always has been a part of the general fund income and this year's budget has assumed it would be.

Councilman Towell moved that Ordinance No. 72-83 be amended by changing the date in section 12.16.120 from 1976 to 1974. Councilman De St. Croix seconded the motion.

Councilman Towell: If the purpose of the expiration date is to put pressure on the city to devise an alternative, I would like to see it be more immediate, and not be administratively unfeasible.

Councilman Davis: We felt that this date is the earliest possible that would not be administratively unfeasible. We are talking about relieving the parking pressuring around the copious area around the university and that is a laborious and time consuming and expensive process to do anything reasonable about it. We recognize that not only do the residents have a need to live there but the students - where the primary parking pressure comes from - have a need to park there.

Councilman De St. Croix - if we find it administratively impossible to deal with this problem by 1974, we can at that time merely reintroduce the ordinance and expand it at that point. I think that the tendency would be, if the ordinance were allowed to expire in 1976, to let it go and not deal with the immediacy of the problem.

The question was called. THE MOTION WAS DEFEATED BY A ROLL CALL VOTE OF AYES 2, NAYS 7 (Ayes: Towell, De St. Croix).

Councilman De St. Croix moved that the fees be changed to be an initial administrative fee of \$75.00, with an annual fee of \$75.00 and \$40.00 fee after July 1. THERE WAS NO SECOND TO THIS MOTION.

Councilman Ackerman moved that Ordinance No. 72-83 be amended by changing section 12.16.090 so that the funds collected from this ordinance would go into the General Fund of the City of Bloomington rather than into the parking meter fund. The motion was seconded by Councilman Behen. THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 8, Nays 1 (Nay: De St. Croix)

Councilman Ackerman moved that Ordinance No. 72-83 be amended by changing section 12.16.070 by inserting after the fifth sentence, the following sentence: "If a previously issued permit is approved, no additional administrative fee shall be required." Councilman Davis seconded the motion. THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 8, Nays 1 (Nay: De St. Croix)

Councilman Morrison said that he considered the ordinance to be a "courtesy ordinance". Councilman Mizell said he thought the samethinking would explain why we have loading zones for businesses without access in the rear - those would also be "courtesy ordinances".

Councilman Davis moved that Ordinance 72-83 be adopted as amended. Councilman Ackerman seconded the motion. The motion was carried BY A ROLL CALL VOTE OF AYES 7, Nays 2 (Nay: Towell, De St. Croix).

Councilman De St. Croix moved that the Council approve the Mayor's appointments to the Environmental Commission of Mssrs. Spencer, Levine and Whitehead. Councilman Behen seconded the motion. The motion was carried by a ROLL CALL VOTE OF AYES 9, Nays 0.

MAYORAL APPOINTMENTS

Councilman De St. Croix moved that the Council approve the Mayor's appointments of Mssrs. Weimer and Kenniff to the Economic Development Commission. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Councilman De St. Croix moved that Ordinance No. 73-30 be introduced and read by the Clerk. Councilman Morrison seconded the motion.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

Grace Johnson, City Clerk, read Ordinance No. 73-30 in its entirety.

No. 73-30 - annexation South of Highway 46, to and including Knightridge Manor Apartments.

Councilman De St. Croix asked the Corporate Counsel to look into the problem of posting ordinances which are read at first reading by title only when the next 24 hours includes a holiday (in this instance, Good Friday) on which the places at which the ordinances would be posted are not open.

Councilman Behen moved that Ordinance No. 73-31 be introduced and read by the Clerk. Councilman Ackerman seconded the motion. The motion was carried by a voice vote in favor.

No. 73-31 - annexation - Highland Village 4

Grace E. Johnson, City Clerk, read Ordinance No. 73-31 in its entirety.

Councilman Mizell moved that Ordinance No. 73-32 be introduced and read by the clerk. Councilman Ackerman seconded the motion. The motion was carried by a voice vote in favor.

No. 73-32 - annexation Highland Village, Additions 1 through 3 and Highland Village Church of Christ

Grace E. Johnson read Ordinance No. 73-32 in its entirety.

Councilman Morrison moved that Ordinance No. 73-33 be introduced and read by the clerk. Councilman Behen seconded the motion. The motion was carried by a voice vote in favor.

No. 73-33 - annexation Van Buren Park and Chateau Van Buren Apts.

Grace E. Johnson, City Clerk, read Ordinance No. 73-33 in its entirety.

Councilman De St. Croix moved that Appropriations Ordinance No. 73-4 be introduced and read by the clerk. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Appropriations Ordinance No. 73-4

Grace E. Johnson, City Clerk, read Appropriations Ordinance No. 73-4 in its entirety.

Councilman De St. Croix moved that Ordinance No. 73-34 be introduced and read by the clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance No. 73-34 rezoning

Grace E. Johnson, City Clerk, read Ordinance NO 73-34, in its entirety.

Councilman De St. Croix moved that Ordinance No. 73-35 be introduced and read by the clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance No. 73-35 rezoning

Grace E. Johnson, City Clerk, read Ordinance No. 73-35 in its entirety.

Councilman De St. Croix moved that Ordinance NO. 73-36 be introduced and read by the clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance No. 73-36 amending chapter 14.36.160 - fences around swimming pools

Grace E. Johnson read Ordinance No. 73-36 in its entirety.

There were no petitions and/or communications from the audience, when the council broke in business at 9:00 p.m.

PETITIONS AND COMMUNICATIONS

Councilman Ackerman asked the legal department to prepare an amendment in reference to the posting of ordinances, per Councilman De St. Croix's suggestion made earlier in the meeting.

Councilman De St. Croix moved that Ordinance No. 73-25 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.

ORDINANCES - SECOND  
READING

Ordinance No. 73-25 -  
annexation - apts.  
north of howard johnson  
motor lodge

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

Councilman De St. Croix moved that Ordinance No. 73-25 be adopted. Councilman Morrison seconded the motion.

Mr. Register explained that this is the voluntary annexation of a large apartment complex north of the Howard Johnson motor lodge.

ORDINANCE NO 73-25 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-26 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.

Ordinance NO. 73-26 -  
establishing the position  
of developmental  
coordinator

Grace E. Johnson read Ordinance No. 73-26 by title only.

Councilman De St. Croix moved that Ordinance No. 73-26 be adopted. Councilman Morrison seconded the motion.

Councilman Towell: I am in general in favor of this position and if it had been presented to me several months ago when it was first suggested I would have voted for it. But I am going to oppose it to night so I think I owe the public some explanation for that. I feel that the general purpose of the utilities control board ordinance was contravened, thwarted - something of that sort - by the appointment of Jim Wray to that Board and I have made my views known to the mayor, etc. I was certainly not asked before that appointment was made and afterward all I could do was protest. That is my main reason for not approving this position at this time. At a later date when this kind of situation is straightened out I would be open to reconsideration. So I am one of the people who has been approaching the mayor about this. I've had a great deal of discussion from my constituents; I've had as many calls about this particular ordinance and position as I've had about all but three or four that I've enacted. The sentiment is very strongly along the lines that I am voting, at least among my constituents. I really regret this because I think the position is a valuable one and something we need in Bloomington and I would justify the investment of funds but at this particular time I will have to vote against it.

Councilman De St. Croix: I understand Councilman Towell's concern and I probably share many of the same concerns. I believe this position is an important one and I believe it should be judged on its merits, therefore, I urge its adoption.

Councilman Towell: I didn't make one central point clear and that is that in my reading this position would in some way be above the department heads in the city and therefore over the director of utilities and therefore be part of the management of utilities in some manner. And it is a conflict between the board and being part of the management which bothers me. It is that particular conflict.



Councilman Fix: The mayor voice some of my concerns, one of them being that I think that a position like this should be part of the mayor's staff and should not be a special department established for this; it should be a part of the mayor's staff. And I also feel that when we are adding to the staff of a department it should be done at budget time and not in-between budget times. When we prepared the budget, Councilman Davis referred to it as being a "bare-bones" budget and I think that at budget time we should create new positions. I understand that this is not appropriating new money but it is a new position and I think it should be a part of the mayor's staff and when we add or detract from the mayor's staff it should be done in consideration of the budget.

Councilpresident Zietlow: We have made additions in the course of the year for bus drivers. I think we can amend this ordinance to allow for including it in the mayor's staff specifically but I don't think a matter of creating new positions in August only is an efficient way of running government.

Councilman Fix: I understand what you are saying here and I understand also that there are emergencies that come up and I guess I don't see this as an emergency.

Councilpresident Zietlow: I would just like to reiterate what Councilman De St. Croix said about the position itself. I think we should consider the ordinance on the merits of the position itself, despite concerns that we might have about personalities and other things. I do think that the fact that it will make more responsive and efficient the city government is the main consideration, if not the sole consideration that we should have.

Councilman Behen: No one has made mention - and I will speak my feelings on it. With mushrooming costs in government, and having made efforts in the past to control expenditures in government, and I have not had proof that this particular position would offset the department or position - whichever it might end up being - and I'm viewing it from the position of the fact that it does have to be funded either originally with revenue sharing money or eventually with taxes from the people to support it.

Councilman De St. Croix moved to amend ordinance No. 73-26 by changing Section 2 to read as follows: "Section 2. The Development Coordinator shall be a member of the Mayor's staff, shall be appointed by the Mayor, and shall represent the Mayor in the exercise of responsibilities pursuant to this ordinance."  
Councilman Ackerman Seconded the motion.

The question was called. THE MOTION TO AMEND WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Ackerman moved to amend Ordinance No. 73-26 by changing Section 3, subsection (2) to read as follows: "(2) serve as liaison and coordinator between the Office of the Mayor and all departments, boards, and commissions in the development area, including but not limited to Planning, Engineering, Parks and Recreation, Transportation, Controller, and Utilities; and"  
Councilman Mizell seconded the motion.

Councilman Ackerman said that the original wording, he thought, was too strong: the development coordinator is really not going to supervise the department heads.

The question was called. THE MOTION TO AMEND WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Ackerman moved to amend Ordinance No. 73-26 by adding to the list of departments in Section 3(2), the Department of Redevelopment. Councilman Mizell seconded the motion.  
The MOTION TO AMEND WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Mizell moved that Ordinance No. 73-26 be amended by including in section 6 the following wording: "and shall expire on December 31, 1973."

Councilman Towell seconded the motion.

Councilman Mizell: This would then allow us to give full consideration to this during the budgeting time and have it - if there is a new position that would be created with the new budget it would take effect January 1, 1974.

Councilman De St. Croix: I would like to point out that consideration of the budget will appropriate funds for any position or not. Appropriate funds for any position and that whether or not this position will be filled is going to be determined in terms of whether or not we appropriate the moneys for it. I don't consider that the amendment achieves any real purpose.

Councilman Towell: I think the mayor agreed that this would be a reasonable amendment in recent discussions, that he would like to do it on a different basis next year, but he does not want to have to go to the state board of accounts with the addition to a department during this budget year but he is willing to do that by next year.

Councilman Davis:

This is a budgeting procedure which I don't think belongs in the setting up of the position, though I do share the concern.

THE MOTION TO AMEND FAILED BY A ROLL CALL VOTE OF AYES 4, Nays 5 (Aye: Morrison, Mizell, Behen, Fix).

Councilman Ackerman moved to amend Ordinance No. 73-26 by changing the title "Development Coordinator" to "Administrative Coordinator" wherever it appears in the ordinance. Councilman Davis seconded the motion. The motion was ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 1 (Nay: De St. Croix).

Councilman De St. Croix moved that Ordinance no. 73-26 be adopted as amended. Councilman Ackerman seconded the motion.

THE MOTION FAILED BY A ROLL CALL VOTE OF AYES 4, Nays 5 (Aye: Davis, Ackerman, De St. Croix, Zietlow).

Councilman Fix explained his vote, saying: I definitely see the need for this on the mayor's staff; I think the mayor is entitled to have a staff as he can sell to the council for funding; and I am concerned though about the budget and I am going to vote "not" but if it would come through funded by revenue sharing until we get through the budget this summer then I would change my vote.

Councilman De St. Croix moved that Ordinance No. 73-27 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. 73-27 - establishing the position of drug abuse coordinator

Grace E. Johnson, read Ordinance No. 73-27 by title only.

Councilman De St. Croix moved that Ordinance No. 73-27 be adopted. Councilman Ackerman seconded the motion.

Rev. Paul Miller, Chairman of the Drug Abuse Commission addressed the Council: As you remember in November we came to you asking you to endorse a \$450,000 federal proposal for dealing with drug abuse in our community. At that time I think all of you voted in favor of that proposal and we went on to Washington in the hopes that we would have that kind of program eventually in Bloomington. If you have read the newspapers you know that in December or January federal guidelines were revised and sharply changed and the proposal which we presented no longer conformed to those guidelines so therefore we were asked to withdraw that proposal which you had endorsed and we were again out in the cold without any possibility of doing anything in terms of a program that had money in back of it here in Bloomington. With new guidelines we are presently

involved with region 10 of the mental health state catchment area and we are working with the four-county area - the three other counties adjacent to this one - in terms of trying to develop a joint cooperative program; we've just begun and it remains to be seen what that will entail, and involve. We also learned in January that revenue sharing monies would be available to the city of Bloomington and because we felt we needed some of that money to carry on a minimal program here within our own community, we submitted to the mayor's office a modest proposal of \$32,800, which was considerably less than the \$450,000 we had asked your approval for a few months prior to that. We have had that on the mayor's desk I think about three months and always with the expectation that when the time was right he would bring it to city council and this has been done. I would hope that you would give us your approval of the \$10,000 of local revenue sharing money as you gave us your approval of the \$450,000 request for federal money.

Dr. Middleton addressed the Council, expressing concern that this money be explicitly tied in to regional activities in the area of drug abuse.

Eve Berry, Drug Commission member, also addressed the council, speaking against the explicit commitment of funding to the regional activities.

ORDINANCE NO. 73-27 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-28 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. 73-28 - Park Board Reorganization

Grace Johnson, City Clerk, read Ordinance No. 73-28 by title only.

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

City Attorney Owens said that he has received information from the Bond Counsel in Indianapolis that a bond issue from a joint board cannot be approved at this time.

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

Councilman De St. Croix moved that Ordinance No. 73-29 be tabled. Councilman Ackerman seconded the motion. THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

No. 73-29 - Salary Ordinance.

Councilman De St. Croix moved that Appropriations Ordinance NO. 73-3 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.

Appropriations No. 73-3

Grace E. Johnson, City Clerk, read Appropriations Ordinance No. 73-3 by title only.

Councilman De St. Croix moved that Appropriations Ordinance No. 73-3 be adopted. Councilman Ackerman seconded the motion.

Council president Zietlow explained that this would appropriate the \$10,000 to fund the drug abuse coordinator position approved in Ordinance NO. 73-27.

APPROPRIATIONS ORDINANCE WAS ADOPTED  
by a ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that  
Resolution No. 73-31 be introduced  
and read by the clerk.  
The motion was seconded by Councilman  
Morrison and carried by a unanimous voice  
vote.

RESOLUTIONS

No. 73-31 - Transfer  
of funds  
(animal shelter)

Grace Johnson read Resolution No. 73-31  
in its entirety.

Councilman De St. Croix moved that  
Resolution No. 73-31 be adopted.  
Councilman Morrison seconded the motion.

Councilman De St. Croix explained that  
this transfer was to enable the animal  
shelter to pay the shelter manager mileage  
for using his own truck rather than purchasing  
an additional used truck for the shelter.

RESOLUTION No. 73-31 WAS ADOPTED BY A ROLL  
CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that  
Resolution NO. 73-32 be introduced  
and read by the clerk. Councilman  
Ackerman seconded the motion. The motion  
was carried by a unanimous voice vote.

Resolution No. 73-32  
Off-road vehicle policy

Grace E. Johnson, City Clerk, read  
Resolution NO. 73-32 in its entirety.

Councilman De St. Croix moved that  
Resolution NO. 73-32 be adopted.

Barbara Heise, Environmental Commission, addressed  
the Council, speaking in support of the resolution.

Alive Evans, addressed the council, speaking  
in support of the resolution. Ms. Evans noted  
that the noise and effect on the forests of  
off-road vehicles effectively prohibits other  
forms of recreation in the forest at the same time.

After some discussion, the question was called.

RESOLUTION NO. 73-32 WAS ADOPTED BY A ROLL  
CALL VOTE OF AYES 9, Nays 0.

None.

REPORTS FROM OFFICIAL  
BOARDS AND COMMISSIONS

None.

REPORTS FROM STANDING  
COMMITTEES

None.

REPORTS FROM SPECIAL  
COMMITTEES

Grace Johnson, City Clerk, addressed  
the Council; Beginning May 7, the  
City Court will be meeting in the Council  
Chambers while their offices are being  
remodelled.

MESSAGES FROM CITY  
OFFICIALS AND DEPARTMENT  
HEADS

Council president Zietlow: Mayor  
McCloskey has submitted to me two ordinances  
which he will submit to the agenda for the  
next meeting. He asked me to read them:

MESSAGES FROM  
COUNCILMEMBERS

ORDINANCE

AN ORDINANCE ESTABLISHING THE POSITION OF ADMINISTRATIVE COORDINATOR FOR THE CITY OF BLOOMINGTON, INDIANA

WHEREAS, there are several City departments, boards, and commissions concerned with community growth and development in both the public and private sectors; and

WHEREAS, these departments, boards, and commissions as well as public and private interests would benefit from improved coordination in their relationship with one another; and

WHEREAS, departments, boards, and commissions serving the same community should function as a rational, integrated, and organic whole for the greater public good,

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

SECTION 1. There is hereby created and established the position of Administrative Coordinator.

SECTION 2. The Administrative Coordinator shall be a member of the Mayor's Staff, shall be appointed by the Mayor, and shall represent the Mayor in the exercise of responsibilities pursuant to this ordinance.

SECTION 3. The Administrative Coordinator shall:

- (1) coordinate and direct the implementation of development concepts and decisions as enunciated by the Mayor and the Common Council; and
- (2) serve as liaison<sup>and</sup> coordinator between the office of the Mayor and all departments, boards, and commissions in the development area, including but not limited to Redevelopment, Planning, Engineering, Parks & Recreation, Transportation, Controller, and Utilities; and
- (3) oversee and coordinate the budgeting and expenditure of capital resources.

SECTION 4. The responsibilities of the Administrative Coordinator shall be exercised in a manner consistent with the authority of City departments, boards, and commissions otherwise provided for by ordinance or statute.

SECTION 5. It shall be the policy of the City of Bloomington to encourage maximum cooperation and coordination among departments, boards, and commissions, and it shall be the purpose of this ordinance to help effectuate that policy.

SECTION 6. This ordinance shall be in full force and effect upon and from its date of passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 1973.

APPROPRIATION ORDINANCE NO.

AN ORDINANCE SPECIALLY APPROPRIATING FROM THE REVENUE SHARING TRUST FUND, EXPENDITURES NOT OTHERWISE APPROPRIATED OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, TO MEET THE EXTRAORDINARY EMERGENCIES FOUND TO EXIST IN THE VARIOUS DEPARTMENTS

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA:

Section 1: That there be and hereby is appropriated from the Revenue Sharing Trust Fund of said City, funds not otherwise appropriated, to meet the extraordinary emergencies found to exist for the expenditures of more money for the current year of 1973, than was set out in detail in the budget as finally adopted, and appropriations as finally made, the following sum:

MAYOR'S OFFICE

#11 Services Personal . . . . . \$18,000.00

Said sum to be used to fund the position of Administrative Coordinator

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Indiana, on the \_\_\_\_ day of May, 1973.

Charlotte T. Zietlow, President

ATTEST:

Grace E. Johnson, City Clerk

Councilman Mizell: I have been instructed by the plan commission to say that it is eagerly awaiting the return of the zoning ordinance and land use maps.

Councilman Towell: I just want to say that I am very sorry that the council put off making any decision about ordinance 25 in this administration. I think that this is really a shirking of responsibility.

Councilman De St. Croix: I would like to make it very clear that Ordinance 25 will be tested in the near future.

Council president Zietlow adjourned the meeting at 10:50 p.m., E.S.T., there being no further business offered for consideration.

Charlotte T. Zietlow  
Charlotte T. Zietlow  
Council President

ATTEST:

Amy G. Mann, Council Secretary

RESOLUTION No. 73-31

April 19, 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:

ANIMAL SHELTER

FROM Item #72 - Motor Equipment \$300.00

TO Item #21 - Communication & Transportation \$300.00

*Charlotte T. Zietlow*

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

APPROVED: 4/19/73

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

RESOLUTION NO. 73-32

WHEREAS, adverse environmental effects will result from the proposed off-road vehicle policy in Hoosier National Forest as outlined in the Draft Environmental Impact Statement sent by the Forest Service to the Council on Environmental Quality on March 14, 1973, and

WHEREAS, environmental groups throughout Indiana have called for a complete closure of the Hoosier National Forest to off-road vehicles as they do not feel that that form of recreation is a legitimate use of forest land, and

WHEREAS, the proposed policy will have a direct effect on the Lake Monroe watershed in which the residents of Bloomington have a vital stake, and

WHEREAS, the residents of Bloomington actively use the resources of Hoosier National Forest,

NOW THEREFORE BE IT HEREBY RESOLVED that the Common Council of the City of Bloomington, Indiana concurs with the recommendation of the Environmental Quality and Conservation Commission, and supports the continuance of a complete closure of the Hoosier National Forest to off-road vehicles.

Charlotte T. Zietlow  
Charlotte Zietlow, Council President

Francis X. McCloskey  
Francis X. McCloskey, Mayor

April 19, 1973  
Date Approved