

In the Council Chamber of the Municipal Building on Thursday, May 4, 1972, at 7:40 p.m., E.S.T., with Council President, Charlotte Zietlow, presiding.

REGULAR MEETING
COMMON COUNCIL
CITY OF BLOOMINGTON,
INDIANA

Members present:

ROLL CALL

James Ackerman, Richard Behen, Brian de St. Croix, Hubert Davis, Jack Morrison, Alfred Towell, Wayne Fix, Charlotte T. Zietlow.

Members absent: Sherwin Mizell.

Councilman de St. Croix

INVOCATION

Mayor Francis X. McCloskey; Martha Sims, City Controller; Marvard Clark, Assistant City Engineer; Police Chief, Carl Chambers; Fire Chief, Richard Gose; Russell Parks, Director of Public Safety; Larry Owens, City Attorney.

CITY OFFICIALS PRESENT

Approximately 40 including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the Minutes of the previous meeting of April 20, 1972, be approved as submitted. Councilman Towell seconded the motion, and it carried by unanimous voice vote.

MINUTES

None.

EXAMINATION OF CLAIMS

Mayor McCloskey commented on the new Human Rights ordinance which was before the Council for second reading and was hopeful of its passage this evening. He stated he thought this was a significant step of the public policy of Bloomington, and the City administration in so far as it can including its interworkings which are provided for in the ordinance will commit itself to a true concern for equal opportunity for everyone. The ordinance includes provisions against sexual discrimination as well as racial and religious, etc., It gives stronger legal powers so that the Commission can issue temporary restraining orders at the initiating of an action and not just cease and assist orders after a complaint has run its course. It also "beefs" up a commitment to affirmative action in the area of city contracts tying into a provision the city itself must have an affirmative action program.

MESSAGE FROM MAYOR

The Mayor also commented on the additional appropriation of \$200,000.00. He pointed out that in the preparation of the budget last year, the administration estimated \$795,000.00 to be expended during the last six months of 1971. Ideally if this had occurred, they would have substantial surplus for the city administration, which ever it was in January of some \$600,000.00 to \$700,000.00. When this administration took office there was some \$112,000.00 in the General Fund to operate for six months. At that time they made a request for a loan from Utilities of \$400,000.00 which was approved. The State Board of Tax Commissioners advised that this is a fairly common practice in an election year in which they advise against; in effect it allows an administration to keep a proposed tax rate down and hopefully if they are reelected worry about it later, so" we will have to worry

about it tonight and the rest of the year. He stated James Wray and Martha Ellen Sims, City Controller had an extensive discussion as to this problem with the State Board of Tax Commissioners and the administration has made a commitment to them, which they are happy with to start, and that is to pay most of that off this year, except \$50,000.00 and probably get caught up as to \$50,000.00 of it on the tax levy over next year. He thought it would be highly dubious and unfair to the administration and to the people of the community to ask them to pay the \$400,000.00, so they have asked for an additional \$200,000.00." In June we will receive some \$832,000.00 and the tax distribution paying substantially all of that back except for \$50,000.00. We will have \$282,000.00 to operate on until last of August or September. At that time we will have to take out a smaller loan, but by the time the December payment is in and final distribution is made, we believe there will be a need to carry some \$50,000.00 over onto the tax rate. That it may take two or three years to get into a situation where we don't have to go into a somewhat artificial standard process of making these utility loans."

The Mayor further said a representative of the State Board of Tax Commissioners was in today and conferred with Martha Sims and Jim Wray about the proposed appropriation and transfer of funds as to the additional \$15,000.00 for bus service, tax base salaries of City Corporate Counsel and Director of Public Safety, \$4,600.00 for new small claims court and \$4,000.00 representing half year salary for staff aide for common council. He also commented on the City Trash problem, and said the administration is committed to a definite policy of keeping the options open, and hopefully that in July the city will be in the sanitation business itself. He stated he did not relish the assignments of having to innovate such a service during summer months, with new personnel, new routing, etc, but with a patient public we will learn the ropes fast and provide a good service that even without environmental aspects, hopefully would be as good or better than the present service. They have through Jim Wray and City legal department started to advertise bids for trucks etc, to start own operation. They have started legal work to advertise for bid for six month contract extending through rest of year after July 1, which would give them time to prepare and coordinate their own service. They are also advertising for three year private commitment, which would include paper recycling and hopefully an ordinance be passed calling for separation of trash and paper.

None.

PETITIONS AND COMMUNICATIONS

Mr. James Wray of the Transportation Department reported they would be advertising for two bids, one for contract and one for equipment for city to go into solid waste business themselves. All equipment will have to be acquired by lease purchase which would run in the neighborhood of \$15,000.00 to \$20,000.00 per truck. This could be stretched over a 36 months period. He estimated operating expenses for first

REPORTS FROM CITY OFFICIALS
AND DEPARTMENT HEADS

year of \$100,000.00. The biggest weakness would be in wages which would be around \$83,000.00, \$4,000.00 for maintenance and equipment, \$12,000.00 for gas and oil, total equipment would be from \$60,000.00 to \$80,000.00.

He further stated that the State Highway Department had received correspondence asking for waivers on the various projects. That the top priority was the Third Street By-Pass.

Topics

Mr. Wray commented as to the Sidewalk Task Force Report, and stated he would like for the Council to confer with the Task Force Committee to study the various sections of the report and decide which way they should proceed. That part of the report is for Council action, and Board of Works, and others require legal action.

Mr. Larry Owens, City Attorney said he would like to get a consensus of the Council as to (1) whether or not they are interested in selling the property at any price, if so what range of bids would be acceptable.

Kirkwood & Dunn Property
Larry Owens-City Attorney

A discussion was had between Council members and the City Attorney as to the appraisal of property and the acceptance of sealed bids.

Councilman de St. Croix recommended that the Parks and Recreation Department look at the property and see what could be done with the property in the interim while receiving sealed bids.

Councilman Davis moved that the Council ask for Sealed bids on the Kirkwood and Dunn property. Councilman Behen seconded the motion.

Councilman de St. Croix moved to amend Councilman Davis' motion by adding, "sealed bids be received by the City Attorney and be presented to the Council for consideration at the first meeting of this Council in July of this year." Motion seconded by Councilman Davis. Motion further amended by adding "and that there be an escape clause in the advertisement which would include provisions that the bid would not be a firm bid unless adequate zoning and building permits were assured, and even accomplished. Motion carried by unanimous voice vote.

REPORTS FROM OFFICIAL BOARDS
AND COMMISSIONS

Councilman Davis stated the Traffic Commission met every First Monday night at 6:00 p.m. He reported they had a full commission operating and most of the commission have their sub-committees operating. They have been dealing with Parking, Stop signs, one way streets, etc. They have not made any momentous decisions at this point. He said if anyone in a neighborhood wants something done to a street such as stop signs, or a control device and not unreasonable, if it is on a street that is a neighborhood street, and not an arterial street they are enclined to say that they

Traffic Commission

ought to be able to do what they want to do in their own neighborhood. This is not yet a firm policy, but it does mean that they have asked people to come to the Commission with petitions with signatures of people in the area immediately contiguous to the intersections under consideration. They now have four persons who will be bringing petitions to them, and the Commission will attempt to help them get set up.

Councilman Morrison stated they had received acceptance of the East Fourth and East Seventh Street lighting. They received a much better price than anticipated and Public Service Company has the material to construct the ornamental lighting. The Mayor has sent the letter of acceptance to Public Service and a contract will come back to the Board of Works. They now have the Miller Drive area lighting completed, East Fourth Street from Walnut to Indiana, and East Seventh Street from Walnut to Indiana.

REPORTS FROM STANDING
COMMITTEES

Mrs. Virginia Jones reported that about a week ago about 11:15 p.m. while returning from the Library to the parking lot she was attacked and robbed. That the street in this area is so dark that it is dangerous.

Councilman Morrison said he had asked the Mayor to consult with IU to help out in the perimeter lighting, because we were not getting our fair share of expense and it was benefiting IU more directly than the city proper. He further said he would look into the matter of getting lighting in area where there is excessive darkness.

Mr. Russell Parks, Safety Director said there were eight cases of reported purse snatching in the month of April. Some of them were in the vicinity where Mrs. Jones was attacked.

The Council asked that the Utilities Committee submit a Resolution recommending street lighting in excessive dark street areas to the Council at their next meeting.

Councilman de St. Croix reported that Ron Crecelius was resigning from the Manpower Study Task Force due to changes in his job description and increased responsibilities, he also named two new members to the Manpower Task Force; James Newlin, Employment Director for Service and Maintenance Personnel at Indiana University; Brian Douglas McCormick, Coordinator of the Neighborhood Youth Program in Monroe County. He said they were now in the process of forming a new sub-committee for the Manpower Employment Task Force on Women's employment. The next meeting of the Employment Task Force will be Wednesday, May 10, 1972, at 7:30 p.m., in the Plan Room.

REPORTS FROM SPECIAL
COMMITTEES

Councilman Towell reported they were still working on the landlord-tenant ordinance, and he would be reviewing it within the next few days.

Councilwoman Zietlow said she would like to report that there would be a Child Care meeting at the Dyer School Monday, May 8, 1972, at 7:30 p.m. for all interested people, including people who are running Day Care Nurseries, Baby Sitters, etc.

She also commended Marmie Tuerff of the Indiana Daily Student for coverage of the Council meetings, who is leaving to accept employment in Fort Wayne. Linda Wagoner will be the new liaison on Government from the University.

Councilman Ackerman moved that the Resolutions be moved up as No. 12 before introduction of ordinances. Councilman Behen seconded the motion, and it carried by unanimous voice vote.

Councilman Morrison moved that proposed resolution No. 72-24 be introduced and read by the Clerk. Councilman de St. Croix seconded the motion.

RESOLUTIONS

Resolution No. 72-24
Technical Studies Grant

The Clerk read proposed Resolution No. 72-24.

Councilman Morrison moved that Resolution No. 72-24 be adopted. Councilman de St. Croix seconded the motion.

Roll call vote: Ayes 8, nays 0.

Councilman de St. Croix moved that Resolution No. 72-25 be introduced and read by the Clerk. Councilman Morrison seconded the motion.

Resolution No. 72-25
Transfer of Funds

The Clerk read proposed Resolution No. 72-25.

Councilman de St. Croix moved that Resolution No. 72-25 be adopted. Councilman Morrison seconded the motion.

Roll call vote: Ayes 8, nays 0.

Councilman de St. Croix moved that Resolution No. 72-26 be introduced and read by the Clerk. Motion seconded by Councilman Morrison.

Resolution No. 72-26
Temporary Loans

The Clerk read proposed Resolution No. 72-26.

Councilman Morrison moved that Resolution No. 72-26 be adopted. Councilman de St. Croix seconded the motion.

Roll call vote: Ayes 8, nays 0.

Councilman Fix moved that proposed Resolution No. 72-27 be introduced and read by Councilman de St. Croix. Councilman Ackerman seconded the motion.

Resolution No. 72-27
Marmie Tuerff

Councilman de St. Croix read proposed Resolution No. 72-27.

Councilman Towell moved that proposed Resolution No. 72-27 be adopted. Councilman Morrison seconded the motion.

Roll call vote: Ayes 8, nays 0.

Councilman Morrison moved that proposed Ordinance No. 72-17 be introduced and read by the Clerk. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-17.

Councilman Morrison moved that proposed Ordinance No. 72-18 be introduced and read by the Clerk. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-18.

Councilman Morrison moved that proposed Ordinance No. 72-19 be introduced and read by the Clerk. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-19.

Councilman Morrison moved that proposed Ordinance No. 72-20 be introduced and read by the Clerk. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-20.

Councilman Morrison moved that proposed Ordinance No. 72-11 be introduced and read by the Clerk by title only. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-11 by title only.

Councilman Morrison moved that proposed Ordinance No. 72-11 be adopted. Councilman Towell seconded the motion.

Doyle Winter, attorney for petitioner said the original petition called for rezoning a five acre plot, but the Plan Commission thought one acre was sufficient. That they have an option to buy the full five acres. The FOP proposes to build a Lodge Building on the one acre for its membership, with parking area around it, and access entrance onto Curry Pike. He said neither the City nor Ellettsville so far have been willing to come up with water and sewer facilities. The FOP would propose using a well as there are spring wells in the area until such time water is available. As to the sewer system it would be logical to have a holding tank for their needs. They will use the building for their annual Ball, lodge meetings and may rent it to various groups from time to time. Such rental would be by contract only and uniform police would be there to supervise.

Roll call vote: Ayes 8, nays 0.

Councilman Morrison moved that proposed Ordinance No. 72-15 be introduced and read by the Clerk by title only. Councilman Towell seconded the motion.

The Clerk read proposed Ordinance No. 72-15 by title only.

Councilman Morrison moved that proposed

INTRODUCTION OF ORDINANCES

Ordinance No. 72-17
Zoning Land located 907 W.2nd
Street, R-1 to E-1

Ordinance No. 72-18
Zoning Land-7.7 acres West
Hospitality House R-1 to R-3

Ordinance No. 72-19
Amendment of Animal Control
Ordinance, Impounding Fees,
Procedure for Rabies Shots

Ordinance No. 72-20
Construction of Sidewalks

ORDINANCES-SECOND READING

Ordinance No. 72-11
Zoning One Acre East of
Curry Pike R-1 to R-3
FOP Lodge

Ordinance No. 72-15
Human Rights Commission

Ordinance No. 72-15 be adopted.
Councilman Towell seconded the motion.

John Irvine explained the various
Sections of the ordinance to the Council.

There was a lengthy discussion of the
ordinance between the Council and members
of the audience and several amendments
were suggested to the ordinance.

Councilman Behen moved that Ordinance No. 72-15
be tabled until the next meeting of the Council.
Councilman Davis seconded the motion.

Roll call vote: Ayes 5, nays 3 (de St. Croix,
Zietlow, Towell.)

None.

REMONSTRANCES AND OBJECTIONS

None.

OTHER NEW BUSINESS

None.

UNFINISHED AND MISCELLANEOUS
BUSINESS

The meeting adjourned at the hour of
12:30 a.m..

ADJOURNMENT

Charlotte T. Zietlow
Charlotte T. Zietlow, President

ATTEST:

Blanche H. Hank
Secretary

RESOLUTION No. 72-24

WHEREAS, the Secretary of Transportation is authorized under the Urban Mass Transportation Act of 1964, as amended, to make grants for transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant gives assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder;

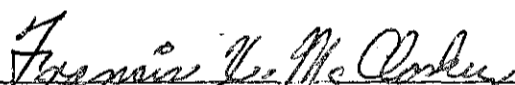
NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Bloomington, Indiana, as follows:

1. That the Mayor's Office of the City of Bloomington, Indiana, is authorized to execute and file an application on behalf of the Common Council and the Board of Public Works of the City of Bloomington, Indiana, with the U.S. Department of Transportation to aid in the financing of a Technical Studies

Grant.

2. That the Mayor's Office of the City of Bloomington, Indiana, is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Mayor's Office of the City of Bloomington, Indiana, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application of the project.


Charlotte Zietlow
President of the Common Council


Francis X. McCloskey, Mayor
City of Bloomington, Indiana

RESOLUTION No. 72-25

BUDGET TRANSFERS

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, that the City Controller of said City will adjust the appropriations of the following Departments according to their respective requests, to-wit:

FIRE DEPARTMENT


FROM 3 SUPPLIES
33 Institutional and Medical \$180.00
TO 2 SERVICES CONTRACTUAL
262 Other Contractual Services \$180.00

BOARD OF WORKS

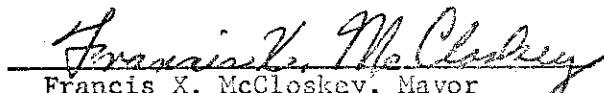
FROM 2 SERVICES CONTRACTUAL
25 Repairs \$280.00
TO 4 MATERIALS
41 Building Materials \$280.00

ENVIRONMENTAL COMMISSION

FROM 3 SUPPLIES
36 Office Supplies \$250.00
TO 7 PROPERTIES
721 Equipment - Furniture & Fixtures \$250.00


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

APPROVED:


Francis X. McCloskey, Mayor
City of Bloomington, Indiana

ADOPTED: May 4, 1972

RESOLUTION No. 72-26

May 4, 1972

BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington, Indiana, that the Controller of said City is hereby empowered to make the following temporary loans for the purpose of cash operating balance from WATER BOND & INTEREST FUND \$100,000.00 to GENERAL FUND from SEWAGE WORKS SINKING FUND \$100,000.00 to GENERAL FUND, such loans to be secured by a pledge of taxes to be received, which are not otherwise allocated.

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

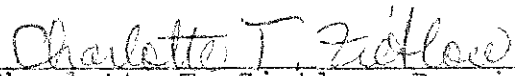
Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington, Indiana

Adopted: May 4, 1972

RESOLUTION NO. 72-27

BE IT HEREBY RESOLVED by the Common Council that it heartily consumes and subscribes to the peanut butter sandwich philosophy espoused by our esteemed Mayor, Francis X. McCloskey, and brought to fruition by the skilled and considerate efforts of Marmie Tuerff and Jack Lyness of the Indiana Daily Student, and

BE IT FURTHER RESOLVED that the Common Council recommends Jack Lyness and Marmie Tuerff's culinary expertise and skill in the preparation of peanut butter sandwiches to the citizenry of the City of Bloomington, and peanut butter sandwich lovers throughout the world.


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

