

In the Council Chamber of the Municipal Building on Thursday, June 15, 1972, at 7:00 p.m., E.S.T., with Council President, Charlotte T. Zietlow, presiding.

REGULAR MEETING  
COMMON COUNCIL  
CITY OF BLOOMINGTON,  
INDIANA

Members present:

ROLL CALL

James Ackerman, Richard Bahen, Hubert Davis, Brian de St. Croix, Wayne Fix, Sherwin Mizell, Jack Morrison, Alfred Towell, Charlotte Zietlow.

Members absent: None

Councilman Davis.

INVOCATION

Mayor Francis X. McCloskey, Martha Sims, City Controller, Lt. Col. Chambers, Chief of Police, Richard Gose, Fire Chief, Grace E. Johnson, City Clerk, Bill Wilson, Director of Parks and Recreation, Danny Fulton, Director of Redevelopment, Thomas Crossman, City Planner, Rasoul Istrabadi, City Engineer, George Walkenshaw, Director of Utilities.

CITY OFFICIALS PRESENT

Approximately 85 including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the Minutes of the previous meeting of June 1, 1972, be approved as submitted. Councilman de St. Croix seconded the motion, and it carried by unanimous voice vote.

MINUTES

I would like to speak to you about several things this evening. Whenever the time is appropriate I would like for Mr. Register to give a report on some detailed negotiations that the administration has been having with downtown businessmen. The negotiations basically relate to the downtown parking situation and a plan called Park and Shop. The Plan would involve a private not-for-profit downtown corporation composed of several businessmen taking over the operation of at least three downtown lots and ultimately maybe four. In return for this the city would get a guaranteed income of at least \$16,000 or more which is the income the city received on these lots in 1969. All meter heads would be removed. This would mean that the city would no longer have the expense of maintaining or patrolling these lots. Any revenue in excess of the \$16,000 guaranteed to the city would be divided between the city and the corporation with 70% going to the city and 30% to the corporation. The 30% going to the corporation would be used exclusively for the promotion of downtown parking. I do think it is vital that we do what we can to help maintain the downtown core which is truly the center of the community. I would like to stress that no final commitments have been made, but we are moving along in our negotiations and I consider it a very promising idea.

MAYOR'S SPEECH

After almost six months in office, I do think that it is time that the administration, primarily myself, and whatever councilmen may be interested and of course Mr. Crossman our new city planner, do go to the county commissioners with a strong appeal for an area wide planning office. This would be basically a countywide plan commission to which the city would have five appointments and by statute county officials would comprise five members of this plan commission. Federal funds for water and sewer projects and public transportation rest on having such an apparatus. Also, it is important to remember that Monroe County is a single community in many respects and we should have coordinated, healthy building and development. The commissioners have been good enough to appoint a committee of some three members to join three members of our plan commission in studying this possibility. I hope to have something definite to report to you on this in two or three weeks.

As you may know from reading the papers and also from mail to you that has been coming out of my office, we are in the process of preparing budgets for next year. I invite your consultation and concern. I don't know if it has been officially announced yet, but the Chamber of Commerce has been good enough to advise us on our budget for next year. At my request they have appointed Tim Ellis as a budget coordinator to help us in our deliberations. This is in no way binding on the Chamber as to our policies and of course it is understood that the city has the right to disagree with the Chamber. But I think that this will be a healthy thing and a big help to us all.

I have several announcements concerning the salary ordinance which is before you for second reading this evening. First, after much deliberation I am going to ask that the salary ordinance be amended to delete the post of Director of Public Safety, both for this year and for next year. While I do think this office does represent a desirable innovation, I do not see that at this time there is a critical need for it. I think, quite frankly, one of the basic reasons for this post in the beginning was to provide strong leadership for the police department. I would say that, while Director Parks has been doing a good job, Chief Chambers has been doing an outstanding job as Chief of Police as has also Chief Gose of the Fire Department. With the coordination of the Board of Public Safety, the two Chiefs, myself, and advice from the Council liaison officers, I think we can fill any gaps in this area. We are very appreciative of the diligent efforts of Mr. Parks who has worked very hard. He will assume another responsible post within the administration. Second, I would like to again stress that I see a critical need for the post of corporate council. Mr. Register is a seasoned senior advisor of a legal staff which is second to none in the state. I think that we have to realize that the City of Bloomington is a multi-million dollar corporation. There are so

many complex municipal problems that have to be handled on a defensive basis to say nothing of launching progressive programs such as annexation. One obvious fruit of the present legal staff has been the raft of annexation ordinances that are coming in and also, as you know, for the first time in years the two formerly moribund annexation suits involving the city are at least being litigated and resolved. Third, there is a new salary item in this ordinance calling for a senior planner. There is a demonstrated need in this area. We need a competent, somewhat seasoned person to assist Mr. Crossman in the Department. The context of the post and the duties are somewhat different from the previously budgeted assistant planner slot which at this time remains unfilled. Mr. Crossman and the plan commission will shortly make a decision as to that post. This is one of the areas in which false or shortsighted frugality would not only be disastrous to the long range benefit of the community, it also would be uneconomical in that one of the things the federal government is most interested in when considering funding for localities is the local commitment to planning. Every good planning person we have on that staff is going to more than save the amount of his salary.

This evening I am asking for your advice and consent to two commission appointments. I would like to appoint one Frank Thomas to the Human Rights Commission. Mr. Thomas is a 29 year old, black law student, who we became acquainted with through the outstanding work he has done as a work study researcher. Frank is very interested in serving on the Human Rights Commission. He will be out of the I.U. Law School in two years. It will be good to have some legal input on the Commission. Of course, being a part time employee of the city, he would be disqualified from sitting in on any charge of discrimination against the city. I would also like to ask your advice and consent to the appointment of Dr. David Johnloz to the Bloomington Monroe County Drug Control Commission. He has been recommended by Dr. Thomas Middleton and indirectly by present members of the Commission. I will quote from Dr. Middleton's letter. "Dr. Johnloz is a 1965 graduate of Indiana University. He received post graduate training in internal medicine and now is specializing in this branch of medicine. During his training he was involved considerably in the treatment of persons suffering from drug abuse or misuse at Marion County General Hospital. He is quite knowledgeable in this field and is interested in the community aspects of the problem. He has given my permission to make this recommendation."

In closing, I would like to introduce the three new department heads who have joined the administration over the last ten days. Thomas Crossman, Planning Director. Rasoul Istrabadi, the new City Engineer and Mr. George Walkenshaw, the new Director of Utilities.

Councilman de St. Croix moved that the Council accept Mayor McCloskey's appointments to the Human Rights Commission and the Bloomington Monroe County Drug Control Commission. Councilman Morrision seconded the motion. Carried by unanimous voice vote.

ADVICE AND CONSENT TO  
COMMISSION APPOINTMENTS

James Dorr, President of the East Central Neighborhood Association presented the following communication to the Council.

PETITIONS AND COMMUNICATIONS

On May 22 of this year the East Central Neighborhood Association sent a letter to members of the Bloomington Board of Planning Commissioners concerning Indiana University's acquisition of a privately owned house at 206 North Dunn Street in order to use the property, along with property I.U. already owns, to build a surface parking lot on the northeast corner of Sixth and Dunn Streets.

In it we pointed out that parking lots already exist on two corners of that intersection and questioned the effect of a third lot of traffic on already overburdened streets and on the residential character of the surrounding neighborhood. We asked if the University had supplied the City with a master plan for its future development and if alternatives to another surface lot, a very poor use of valuable land, such as double decking existing lots in the area or, as a better long range solution, implementing a public transportation system as quickly as possible to provide an alternative to automobile transportation could be considered by I.U.

Members of the Council have received copies of this letter prior to the last Council meeting along with copies of a letter by Mrs. Mary E. Maish to I.U. Trustee Donald C. Danielson, dated May 4, and a petition protesting the planned lot signed by residents in the immediate neighborhood of Sixth and Dunn.

On June 2, the Herald-Telephone printed an article by John Fancher in which George Bloom, director of I.U. real estate, asserted that the City does have full knowledge of I.U. plans. We would like to know if these plans are any more recent or more detailed than the University's outdated 1964 land acquisition plan and, if so, if we could see them.

On the same date, Trustee Danielson sent a reply to Mrs. Maish's letter of May 4, in which, among other things, he claimed that the loss of homes and rental properties in the area contiguous to the campus is not serious as the University feels that the demand for housing in that area is not great. Those of us living in the area question that assertion and would like to know if it reflects official I.U. land use policy and, if so, if the City has been apprised of that policy. If it is University policy to displace students and other University personnel from housing within walking distance of campus to new apartment complexes on the outskirts of the City in order to build parking lots, it seems to us that the net effect of such policy will be to force more people to use cars daily and, hence, add to the pressure for more destruction of housing for more parking as well as to exacerbate the City's already serious traffic problem. Clearly, such a policy would affect not just the University but the entire City as well.

A final article in the IDS Summer Observer, dated June 12, by Trish Geiler quotes Ted Jones, Chairman of the I.U. Parking Committee, as saying that the new lot will be needed this fall when the new student building will be opened and it will also be used by law students and the Poplars Hotel who presently have very little parking space available to them. Again we suggest that a parking structure on already cleared land would be a far wiser solution to I.U.'s anticipated parking need. A second deck on the existing lot at Indiana and Kirkwood would, indeed, be better located for use by the student building and law school as well as other buildings on the main campus. Also, while the article quotes Councilman Sherwin Mizell as saying that a mass transportation system for both the City and I.U. would solve a lot of parking problems but cannot be achieved by fall when the parking spaces will be needed, we note that I.U. already has its won bus system which, with proper routing, would easily be able to serve the buildings in question.

We are presenting this statement here to let members of the Council know of our great concern for the future development of our neighborhood. We feel that a development plan satisfactory to all parties is possible if the University and the City will make full effort to cooperate with each other and with residents in areas to be affected by University expansion. We ask that the City, through our new City Planner, initiate a program of cooperative planning with the University and that guidelines be implemented that would allow residents the same rights of review of University development that they are guaranteed by law for private development.

Mr. Crossman reported on the new Zoning Ordinance. He advised that the Ordinance was still under review and investigation. The four area committee reports are in roughly the following status: committee one has completed its report, but needs final review by the planning commission; committee two has completed its report; committee three is in the process of writing its report at this time; committee four has completed its report, but it needs to be written in its final form. The reports for one and two have the maps for the areas completed, four has the maps under process. Three area maps are still to be done. The text of the zoning ordinance has been reviewed. Mr. Crossman reported that he would like to streamline the format and present it to the Planning Commission and thence to the Council hopefully within the next thirty to forty-five days.

REPORTS FROM CITY OFFICIALS  
AND DEPARTMENT HEADS

Geoff Grodner reported that the Board of Works has entered into a trash contract with B & C Disposal after the opening and letting of bids. The contract will run from July 1 to December 31 and would cover the trash pickup for the city for that time. This contract is basically the same as the one under which we have been operating for the last four years, with a couple of minor exceptions. First of all, it allows for bag pickup in bags which have been approved by the City. It also limits the pickups to between 5:30 a.m. and 11:59 p.m. The contract is for \$61,000 for the six month period. Mr. Grodner reported that the Board of Works was requesting the Council's approval of the contract as required by statute.

REPORTS FROM OFFICIAL  
BOARDS AND COMMISSIONS

Councilman Behen asked what the increase in cost was over the last six months. Mr. Grodner reported that the last contract was for \$98,000 a year. He noted that even though there was a \$20,000 increase this was the low bid.

Councilman Morrison asked if we accept this contract for six months, would we have our own trucks for city pickup in January of 1973. Mayor McCloskey indicated that that was correct.

Mr. Grodner apologized to the Council for not getting a copy of the contract to them sooner. He explained that the Board of Works was not aware that the contract had to be approved by the Council. It was informally agreed to postpone action on the contract until all the members of the Council had had an opportunity to study it.

Councilman Davis reported on the Transportation Task Force. The private parking permits ordinance is being rewritten to embody some of the recommendations which the task force came up with in their study of that problem. The new ordinance should be ready for the second meeting in July. Councilman Davis reported that the Transportation Task Force is now moving seriously on the problems of bicycle traffic in Bloomington. They intend in the near future to come up with recommendations concerning the use of bicycles both on campus and in town and are presently soliciting any input from the community.

Councilman Ackerman reported on the Animal Control Commission. At the request of the Humane Association the Animal Control Commission has had several hearings on the subject of exotic animals now being sold in Bloomington. A subcommittee has been set up which will hold further hearings and try to gather expert testimony about the keeping of exotic animals as pets. It is likely that the Animal Control Commission will have an Ordinance to present to the Council concerning exotic animals at the next Council meeting.

Councilman Davis reported on the Citizens' Committee on Kirkwood and Dunn Property. The Committee had two questions it wanted the Council to answer. First, the Committee wanted to know what form their report should take. Second, the Committee asked if their report should be the end of their efforts or should they help in evaluation of the bids when they come in. The consensus was that the Committee should submit a series of mini-reports reflecting all the view of the Committee and that they should be available to advise the Council on the evaluation of any bids offered on the property.

Attorney Register reported that the property will be advertised tomorrow in the two local papers. The advertisement will indicate that bids will be taken on or before July 6, 1972. The advertisement will also appear in The Chicago Tribune, The Indianapolis Star, The Louisville Courier Journal and The Wall Street Journal. The advertisements will be explicit on the point that the City of Bloomington reserves the rights to reject any and all bids. The advertisement also advises that the bids may be contingent upon the bidder being able to obtain adequate building permits and zoning classification.

Frank Thomas reported on the Environmental Commission. The Environmental Commission would like to report to the Common Council that it does not recommend any restrictions on non-returnable containers in the City of Bloomington at this time. The Commission had a subcommittee studying the possibilities of restricting the use of returnable containers in the City and could not come up with any reason to restrict these containers. They found there was no feasible solution. There are legal problems in banning non-returnables altogether. The only place where such laws have been enacted that is not having legal problems is Vermont where they have a state wide law. A deposit ordinance on beverage containers was

felt to be unfair as it taxed beverage containers, but did nothing to other non-returnables. The only solution that the Commission has to recommend at this time is to lobby at the national and state levels for national and state legislation. A suggestion has been made that the City of Bloomington will join with other cities in Indiana to make state legislation possible. This would be legislation similar to that of Vermont's where they tax all containers coming into the state. The Commission stressed that they had not put aside the problem, but they felt that at this time they could not recommend any of the proposals that were presented to them.

Judy Auer reported on the Drug Commission. The Drug Commission has been meeting weekly in an effort to draw up plans for a county-wide future program which would incorporate the efforts of all the agencies presently working on the drug problem in Monroe County. They have two task forces, one studying the funding possibilities for their Commission and one working on their budget for next year. The budget task force has submitted next year's budget to the city administration. The Drug Commission also wanted to express their appreciation to Dr. Tom Middleton for his service on the Commission.

Attorney Register reported on the Park and Shop proposal as outlined in the Mayor's Speech. The Council expressed a desire to have cost comparison figures between the present system and the proposed system before they are asked to vote on the proposal. Mr. Register assured the Council that those figures would be made available to them.

Councilman de St. Croix reported that the Manpower Employment Task Force will meet on June 27, 1972 to prepare its report to the Council which will be presented on July 6, 1972.

MESSAGES FROM COUNCILMEN

Councilman de St. Croix moved that proposed Resolution No. 72-34 be introduced and read by the Clerk. Councilman Morrison seconded the motion. Carried unanimously by voice vote.

RESOLUTIONS

Resolution 72-34  
Transfer of Funds

The Clerk read proposed Resolution no. 72-34.

Councilman de St. Croix moved that proposed Resolution No 72-34 be adopted. Councilman Morrison seconded the motion.

Roll call vote: Ayes 9, nays 0.

Councilman Morrison moved that proposed Ordinance 72-21 be introduced and read by the Clerk by title only. Councilman de St. Croix seconded the motion.

ORDINANCES SECOND READING

Ordinance 72-21  
Salary Ordinance

The Clerk read proposed Ordinance 72-21.



Councilman Towell moved that the question be divided and the items be voted on by line. Councilman Ackerman seconded the motion. Carried unanimously by voice vote.

After considerable discussion which is preserved on tape in the office of the city reporter the Ordinance was approved as amended. The amendments were as follows: The word additional was deleted from Additional Administrative Assistant for the Mayor's office. Engineering Department was changed to Utilities Department and the word coordinating was deleted from Coordinating Engineer under this item. Under Common Council the item for Administrative Aid was deleted entirely.

There was a Roll Call vote on each item. The vote was Ayes 9, Nays 0 on every item except the Common Council's Administrative Aid. The Roll Call Vote on this item was as follows: Ayes 4; Nays 5 (Morrison, Towell, Davis, Behen, de St. Croix voting Nay) An amendment was proposed to the item lowering the amount to \$6,500.00. The amendment was also defeated on a Roll Call vote as follows: Ayes 4, Nays 5.

ROLL CALL VOTE

Councilman Morrisson moved that proposed Ordinance No. 72-2 be introduced and read by the Clerk by title only. Councilman Towell seconded the motion. Carried unanimously by voice vote.

Appropriation Ordinance  
72-2

The Clerk read proposed Ordinance 72-2.

Councilman Morrisson moved that proposed Ordinance 72-2 be adopted. Councilman de St. Croix seconded the motion.

Councilman Towell moved that the question be divided. Councilman Ackerman seconded the motion. Carried unanimously by voice vote.

After considerable discussion which is preserved on tape in the City Recorder's office the Ordinance was approved as amended. The Amendments were as follows: The salary for the Director of Public Safety of Bloomington was deleted at the Mayor's request. (Roll Call Vote Ayes 1, Nays 3 (Towell voting Aye). The item for salary for the aid to the Common Council was deleted. (Roll Call Vote Ayes 0, Nays 9).

All other items were approved by a roll call vote of 9 ayes, 0 nays with the exception of the item for Animal Control which Councilman Morrison voted against.

Councilman Towell moved that the meeting be adjourned because of the lateness of the hour and the remaining business be conducted at a special.

MOTION TO TABLE THE REST OF THE AGENDA

council meeting to be held on Thursday,  
June 22, 1972. Councilman Behen  
seconded the motion.

(Roll Call Vote Ayes 9, Nays 0 )

The meeting was adjourned by Council  
President Zietlow.

ADJOURNMENT

*Charlotte T. Zietlow*  
\_\_\_\_\_  
Charlotte T. Zietlow, President

ATTEST:

*Grace E. Johnson*  
\_\_\_\_\_  
Grace E. Johnson, City Clerk

RESOLUTION No. 72-34

June 15, 1972

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 budgets, to-wit:

PARKS and RECREATION

FROM #54 - Clothing Allowance \$24.30  
TO #64 - Current Obligations (Taxes) \$24.30

HUMAN RIGHTS COMMISSION

FROM #21 - Communication \$25.00  
TO #26 - Contractual Service \$25.00

ENVIRONMENTAL COMMISSION

FROM #23 - Instruction \$127.00  
TO #55 - Subscriptions and dues \$100.00  
#72 - Equipment 27.00

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

APPROVED:

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

ADOPTED: June 15, 1972