

In the Council Chamber of the Municipal Building, on Thursday, July 6, 1972, at 7:10 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, Hubert Davis, Brian De St. Croix, Wayne Fix, Sherwin Mizell, Jack Morrison, Alfred Towell, Charlotte T. Zietlow.

Members Absent: Richard Behen was absent due to illness.

Tim Hodenfield, Administrative Aide; Martha E. Sims, City Controller; Larry Owens, City Attorney; Jim Register, Corporate Counsel; Danny Fulton, Redevelopment Director; Pat Patterson, Project Director; Tom Crossman, Planning Director; Stuart Reller, Senior Planning Coordinator; Bill Wilson, Director of Parks and Recreation; Grace E. Johnson, City Clerk; Owen Cosby, Assistant Chief of Police; Marvard Clark, Assistant City Engineer.

CITY OFFICIALS PRESENT

Approximately 90 people at the height of the meeting, including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the minutes of the previous meeting of June 15, 1972, be approved as distributed. Motion was seconded by Councilman De St. Croix.

MINUTES

Grace Johnson, City Clerk, said that the spelling of Mr. Rasoul Istrabadi's name should be corrected. She reported that the minutes of the continuation meeting on June 22, 1972, were not included with these minutes but would be ready next week.

The minutes of June 15, 1972, were approved by a unanimous voice vote.

Councilman Towell moved that the Council stand adjourned at the first break in business after 10:00 p.m.. Councilman Morrison seconded the motion.

ADJOURNMENT MOTION

Councilman Towell said that he was making the motion for this particular meeting but would like to see it considered as a permanent policy. Councilwoman Zietlow, Councilman De St. Croix, and Councilman Davis expressed agreement with the principle of setting a specific time for adjournment but felt that 10:00 p.m. was a little early. Councilman Towell referred to Councilman Fix's comment at the end of the Council's 12:30 meeting: "This is not a public meeting," and noted that all of the council members ran on a pledge that the meetings would be public and available to the residents of the city. Councilman Towell said that he therefore wanted to find some time that the Council could agree to (not necessarily 10) that is reasonable for the people of the city, at which time the Council will stop business and resume at a later date. He said that as he understood the

procedures, any business remaining before the Council at such a pre-established adjournment time would be handled at the next regularly scheduled council meeting unless the Council called a special meeting specifically to handle such business.

Councilwoman Zietlow said that this would require revision of the agenda to accommodate those items of business which have specific time tables.

Councilman Davis moved that the motion be amended to read "11:00 p.m." instead of "10:00 p.m.", and said that he thought anything after 11:00 p.m. would cease to be effectively public. Councilman Mizell seconded the motion, noting that the four hour time limit seemed more realistic, given the agenda. Councilman Towell accepted the amendment to his motion.

The amendment was passed by a voice vote of 7 in favor, one opposed.

The question was called on the amended motion: "The July 6, 1972, meeting of the Common Council will stand adjourned at the end of the business under discussion at the end of four hours." The motion was passed by a voice vote of 7 in favor, one opposed.

The City Clerk reminded the Council that the minutes of the May 18, 1972 meeting were ready for Council action.

MINUTES - May 18, 1972

Councilman De St. Croix moved that the minutes of the meeting of May 18, 1972, be accepted as distributed. The motion was seconded by Councilman Ackerman. Councilwoman Zietlow asked that the minutes be amended to include more detail of the discussion of sidewalks. The Council had requested further information on whether sidewalks had to be 4 or 5 feet in width and she expressed the opinion that this discussion should be included in the minutes. A motion to that effect was made and seconded. The amendment was passed by a unanimous voice vote.

The question was called and the minutes of May 18, 1972, were approved as amended by a unanimous voice vote.

None.

EXAMINATION OF CLAIMS

None.

MESSAGE FROM THE MAYOR

The Mayor was not present at the Council meeting as he was attending a meeting on regional planning in Bedford.

None.

PETITIONS AND COMMUNICATION

Larry Owens, City Attorney, reported that no bids had been received on the Kirkwood and Dunn property.

REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

Mr. Wilbur Linder, of Vogt, Sage and Plum, appeared at the invitation of the Council and spoke on the Neighborhood Development Program (NDP)

Report on Miller Drive

generally and on Bloomington's NDP activities specifically.

After giving the Council a briefing on the federal urban redevelopment activities which began with the 1949 Housing Act, Mr. Linder reviewed the history of Bloomington's participation in NDP.

In April, 1971, a survey and planning application (prepared by Vogt, Sage and Phlum under contract with the City of Bloomington) was filed with the Chicago Office of the Federal Department of Housing and Urban Development. At that time, HUD was beginning to decentralize from regional to state offices and was also moving away from survey and planning programs.

In October, 1971, the federal officials wrote to Bloomington that no more survey and planning applications were being funded and that they would encourage the City of Bloomington to file an NDP application.

After looking at the total needs of the community, the Planning Commission, the Redevelopment Commission, and the City Administration determined that the three primary areas of concern in Bloomington were Miller Drive, the Westside area, and the Central Business District.

Through handbills and numerous newspaper articles, the public meetings held on NDP were given wide publicity. A series of citizen meetings were held and in December, 1971, a public hearing was held on NDP in terms of the three areas mentioned above.

On the basis of that public hearing, the Common Council approved a resolution authorizing the filing of the NDP application for funding for the first year of activity.

Mr. Linder said that the primary purposes, as put forth in the NDP application, would be to 1. eliminate problem areas in these three neighborhoods, and 2. to involve additional planning and involve more residents in the planning process in order that a finalized plan could be completed and an overall strategy developed for the second, third, fourth and fifth years.

The application was submitted to HUD where it then sat awaiting funding. The City Administration informed HUD that the City was ready to start the planning process in the Miller Drive area before HUD funded the project if HUD would approve such action. Mr. Linder said that this commitment from the city, in conjunction with HUD's concern over the health problems resulting from the lack of adequate sewer and water facilities in the area, resulted in HUD's managing to find some surplus funds at the end of the federal fiscal year and to then fund Bloomington for NDP - in all three proposed neighborhoods - for the first year activities. Mr. Linder said that he had initially not anticipated federal funding for Bloomington prior to November.

The three PAC committees reviewed priorities in light of the concern expressed by HUD, the city and the county over the health problems of the Miller Drive area and the downtown. PAC agreed to drop the money designated for acquisition of a parking lot so that more funds would be available in Miller Drive.

Mr. Linder stated that it should be clear that HUD insists that the housing in the NDP areas be brought up to code; that the NDP grant is not just for water and sewer -- NDP cannot be a public works project.

He then proceeded to list the three elements which he considers vital to the program, elements which he said were discussed at PAC meetings and the public hearing:

1. a site office will be located in the Miller Drive area and one in the Westside area;
2. there will be a neighborhood coordinator for Miller Drive and for the Westside;
3. there will be two neighborhood workers in each neighborhood to ask questions and find out the concerns of the residents of the neighborhoods.

Councilman Ackerman asked whether or not it would have been possible, under the NDP guidelines, for the water and sewer lines to all be put in during the first year of funding.

Mr. Linder replied that it would not have been possible for several reasons: 1. The total cost of putting water and sewer in in Miller Drive has been estimated at \$1 million. Total funding for the first year of Bloomington's NDP activities is about \$900,000. 2. It takes a lot of time to get everyone involved in the process of determining exactly where the lines should go. The only way to make this a less time consuming process, Mr. Linder said, would be to act as a benevolent dictator and make these decisions without involving the residents of the area, an approach he was not in favor of.

Councilman Davis asked what activities had been funded by the \$900,000. Mr. Linder answered that this money is to be used for general administration and gearing up; setting up site offices in the neighborhoods and handling the educational activities needed to ensure that the residents of the area understand just what the NDP can do; the engineering plans in the Miller Drive area are to be completed in the first year; the planning for the various neighborhoods is to take place the first year. Mr. Linder noted that sixteen acquisitions were scheduled for Miller Drive in the first year, ten of which are condemned or vacant lots, with the remaining six to be only properties the owners of which request that the land be purchased from them. One of the sixteen was the Dust Mill lot which could be converted for something else if that is not needed. In the Westside area there were eleven parcels, ten of which were either vacant lots of where the owners had requested that the lot be taken. The eleventh was the Ninth Street Park. That park is in one of the bond issues and it is possible that NDP will pay for some and the bond issue for some.

Councilman De St. Croix requested that members of the Council receive a copy of Mr. Linder's July 11 report.

Councilman Ackerman asked if Mr. Linder knew which parcels in Miller Drive would be acquired. Mr. Linder said that he did not, that such detailed planning had not been done yet. He noted that a distinction needed to be made between the planning that went on in preparing the application and the planning that will take place in the first year. He said that the planning which is undertaken in preparing the application is a matter of academic exercises, in his opinion. He added that this point was made clear at the various public meetings held. Mr. Linder said that these application plans are beginning points - a place to start from and are not what the redevelopment department anticipate ending up with.

Mr. Linder went on to say that the plan is not completely binding: if the City wanted to undertake activities which were not covered by the original plan, they would have to get concurrence from HUD, but there is room to alter those activities that are in the plan submitted with the application. As an example he said that if the city wanted to acquire more than sixteen properties in Miller Drive, or to acquire property which was not a vacant lot, a condemned building or a property whose owner had requested that it be taken, the City would have to get the specific approval of HUD officials, as these activities were not included in the application.

Councilman Towell asked what assurance there was of continuity, of being able to achieve what the City set out to achieve. He was concerned about what guarantees there are that the City will be funded again after the first year.

Mr. Linder replied that there has not yet been a city which was approved on one NDP application and not approved on subsequent applications to finish the project. HUD has not yet cut a program off, though there is nothing in the contract that binds them to funding in subsequent years. Mr. Linder said that Bloomington could expect to receive about \$1 million a year for five years, keeping in mind the possibility that HUD will increase the annual funding.

Councilman Towell asked about the types of participation residents will have in the Miller Drive area. Mr. Linder responded that a series of alternative plans were being prepared and would probably be available in Bloomington on July 11. The purpose of these alternative plans, he said, is to be able to show the residents what things they can consider doing and then getting them into a discussion of the ramifications of the different plans.

Councilwoman Zietlow asked if these alternative plans will deal with widths of streets and location of sewer and water lines. Mr. Linder said that the plans will show suggested alternatives for things of this type.

Councilman Ackerman asked if these alternative plans would also include suggestions of which houses will need to be renovated and which houses will need to be torn down. Mr. Linder replied by referring to the application where it was stated that it was a goal and objective of the City of Bloomington to bring all housing up to code but at the same time it would be left up to the property owner to decide whether it was economically feasible to bring that particular house up to code or whether it was not. He said that this does not include houses that might be in the location of proposed streets on plans the residents choose to carry out. Mr. Linder said that one of the major points made in the application was that, though it would be time consuming, it was important to plan to work with the property owners on a one-to-one basis to make sure each individual has all the information he needs to make a determination as to the economic feasibility of bringing his house up to code.

Mr. Linder said that a major concern is to give the individual the right to look at the alternatives, to spell out for him what things need to be done if he wants to rehabilitate his house and what the redevelopment department estimates it will cost, giving the owner the opportunity to check these costs with various contractors of his own choosing.

Mr. Linder then passed out to the Council a two-page summary of the relocation benefits available under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which applies to all federal programs involving relocation. The summary is included here:

"Facts About Relocation in an N.D.P. or a Redevelopment Program - Most HUD assisted programs involving displacement are subject to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646)

"A. Relocation Assistance

"In carrying out relocation of families and individuals, it is HUD policy that:

1. Assistance be provided to minimize any hardship affecting the relocation of any displaced person and to assure that displaced persons are relocated in comparable, decent, safe, and sanitary dwellings.
2. Timely and accurate information be provided about the availability of relocation payments and assistance and the eligibility requirements and procedures for obtaining the payments and assistance.
3. No person be required to move until he has been offered assistance in finding decent, safe, and sanitary housing

which is within his financial means and is reasonably convenient to his places of employment, transportation, and other facilities.

4. Information be provided concerning Federal and State housing programs, disaster loans, and other programs administered by the Small Business Administration and other Federal or State programs offering assistance to displaced persons.

5. Other advisory services be provided such as counseling and referrals concerning housing financing, employment, training, health, welfare, or other assistance, in order to minimize hardship on displaced persons.

6. Assistance be provided in completing any required applications and claim forms.

7. Information be provided as to the eviction policies to be followed in carrying out the project.

8. Adequate inspection be made of all relocation housing resources before and after occupancy by the displaced persons.

9. Any services necessary be provided to assure that the relocation process does not result in different or separate treatment because of race, color, religion, or national origin.

10. Any person may seek review of his claim for a relocation payment.

"B. Relocation Payments

"Any Family or individual displaced may be eligible to receive the following relocation payments:

1. Moving and Related Expenses

- a. A payment for actual reasonable moving expenses; or
- b. A fixed moving expense payment not to exceed \$300, and a Dislocation Allowance of \$200.

2. Replacement Housing Payment for Homeowners. Displaced homeowners may receive a payment up to \$15,000, if the acquired dwelling was owned and occupied for not less than 180 days prior to initiation of negotiations.

The payment may include:

- a. The difference between the payment made for the old dwelling and the cost of a comparable replacement dwelling.
- b. An amount to compensate for the difference between old and new mortgage interest rates, if there is an existing debt on the property which is acquired.
- c. Certain closing costs on the new dwelling.

(If the homeowner does not qualify for the Replacement Housing Payment for Homeowners, or elects not to purchase, he may be eligible for a rental assistance payment up to \$4,000, to cover a four-year period.)

3. Replacement Housing Payment for Tenants and Certain Others.

Displaced families and individuals may receive a payment up to \$4,000, if they occupied the acquired property at least 90 days prior to acquisition or receipt of a notice to vacate. The payment may be either:

- a. An amount not to exceed \$1,000 a year for 4 years to help meet the increased costs of renting a replacement dwelling; or
- b. An amount to assist in making a downpayment on the purchase of a comparable dwelling, provided that if the amount exceeds \$2,000 (including closing costs on the replacement dwelling), the displaced person matches the amount in excess of \$2,000."

In response to a question from Councilman Towell, Mr. Linder said that if the City of Bloomington, the Miller Drive area residents, and the Redevelopment Commission decide it is good policy to keep people in the same neighborhood, as far as it is possible to do so, the Federal Government will go along with it. Mr. Linder added that there are enough vacant lots in the Miller Drive area to permit new construction in the neighborhood to replace those structures that must be torn down, before a family would be forced to vacate the structure which was beyond rehabilitation. In addition, he said, some lots are deep enough to permit new construction on the same lot, before the existing structure is torn down. Mr. Linder noted that one of the goals stated in

the application was that most of the members of the Miller Drive Neighborhood Association wanted to remain in the same neighborhood; the same was true for the Westside.

In response to a question from Councilman Ackerman, Mr. Linder said that the category of "Deteriorated Housing" in the initial windshield survey conducted in the Miller Drive Area included housing whose condition could not be satisfactorily determined from just the exterior survey; an interior survey would be required in order to determine whether these houses could be brought up to code through rehabilitation or not. These interior surveys had not yet been completed.

Councilman Ackerman said that he understood there was to be a vote in the near future on whether or not the NDP would go ahead in Miller Drive and said that he thought this house-by-house information should be available before the vote was taken. Councilwoman Zietlow said she thought this information would be essential so that the residents of the Miller Drive area would have something to base a vote on.

Mr. Doyle Winter, attorney for the Miller Drive Freedom Association, said that "the department of redevelopment does not want a vote but the residents do."

Councilman Towell said that he did not think he knew enough at this point to be able to make a vote, if he were a resident of the area. He asked Mr. Winter if he didn't think an individual would want to know what would happen to his home before he made a decision about this program.

Mr. Winter responded by saying that at some appropriate time the members of the Miller Drive Freedom Association (MDFA) would like some time to tell the Council what they think. Councilwoman Zietlow said that the purpose of Mr. Linder's presentation was primarily to inform the Council about the NDP program in general and the City's application in particular, though there would probably be some time available for comments from members of the audience.

In response to a question from Councilman Fix, Mr. Linder said that it was his understanding that the July 11, 1972, meeting was to show some of the first thoughts on plans which the residents could react to in terms of likes, dislikes, things they would like to explore further. He said that part of this planning could be for first year activities, as well as for subsequent years.

Councilman Ackerman said that he was concerned and wanted to get some assurance that a vote of approval would not be called for from the residents until all of the houses in the area had been clarified as to condition and the extent of work needed to bring them up to code.

Councilman Towell said that he thought the entire Council wanted to guarantee to the residents of the Miller Drive and Westside areas the chance to know things and make their own decisions. He said that this was a commitment the Council would not easily go back on.

Mr. William Hornaday, attorney for the MDFA, said he was sure that the people of the Association were grateful for the Council's concern that they be informed about what is expected of them and what is in store for them, before they be permitted to express their own views. "However," he said, "these people have been subjected to a great deal more education over a lot longer period of time apparently than the Council has been. And they feel that they already know what's pretty well in store for them. Maybe not in detail precisely as to whose house is going to be taken and so on. But they do know that the NDP plan in general calls for 60 percent clearance of the Miller Drive area. That's exactly what the NDP plan says itself in black and white. That means that roughly sixty percent of the houses are expected to go in that area."

Councilwoman Zietlow said she understood that the NDP plan was not final. Mr. Hornaday responded by saying that he was referring to the NDP plan that was submitted to HUD and approved by them and on which the grant to Bloomington was made. Mr. Hornaday said that as he understood it, the program in Bloomington has to be based on that plan which was submitted.

Mr. Hornaday went on to say that the members of the MDFA have expressed repeatedly the desires to be able to vote on the question of whether they want to stick with what was originally promised them by the City of Bloomington when they allowed themselves voluntarily to be annexed to this City and that was solely and exclusively that they would get water and sewer lines put down there; in which there was no discussion whatsoever of a federal overall big brother plan to come down and tell them how their neighborhood would be developed and whose houses would be destroyed and who wouldn't. They wanted a chance to have this done by the city and they don't want to lose their homes. They take the point that there is not much point in having water and sewer put down there if they can't have it in their houses. And so they want the chance next Tuesday night to have the right to vote on the question whether or not they will go along with the HUD NDP plan or whether they won't.

Councilwoman Zietlow asked how the decision could be made about the plan when they don't know what will happen to each of the houses in the area yet.

Mr. Hornaday said that the residents of the Miller Drive area know that they want water and sewer and that this was promised to them at the time they annexed. He said there was no discussion at that time that there would be a federal urban renewal type of program installed in which houses would be replaced whether they liked it or not and a general face lifting to this whole area. They asked for an were promised by this City, water and sewer lines and that is all.

Councilman Ackerman restated Mr. Linder's earlier comments concerning the fact that there was a great deal of flexibility as to how each owner would bring his home up to code.

Mr. Hornaday said that he got his information from the NDP plan and said that they would expect a vote the following Tuesday.

In response to a question from Councilman Towell, Mr. Hornaday said that the question that was put to a vote of the MDFA members last Thursday night was: "If you vote 'Yes' you are voting for the entire NDP program, which means the Federal money being used to rehabilitate the area, to give it a facelifting, put in new streets, and so on, including water and sewer lines." If you vote 'No' you are voting for water and sewer without the federal program.

Councilman Towell suggested that a fair election should have one question, to which you voted yes or no but that the vote held by the MDFA was actually two different votes on two different questions. Mr. Hornaday said that this vote expressed what the MDFA wanted to express.

Councilwoman Zietlow asked if there really was a health problem in the Miller Drive area. Mr. Linder said it had been reported to him by the State Health Department that there is a definite health problem in terms of the septic tanks and the outdoor privies draining into the water supplies. There is a very great concern on the part of the health department regarding the possibility of hepatitis and many other diseases. There has not yet been a problem with hepatitis though there could be at any time. Mr. Linder said that there had been occasional cases of typhoid.

Mrs. Terry (Shirley) Connors asked Mr. Winter if he was saying to the people of the Miller Drive area that "you can turn down federal funds and we will get you water and sewer without you paying anything for them?" Mr. Winter said this was not what he was saying to the residents of Miller Drive but he added, "let's face it, this has to be an alternative." Mr. Winter then noted expenditures that will be made by the city and the county on Kinser Pike, the airport, schools and high schools, and said that Miller Drive was entitled to some of this tax money too.

Councilman De St. Croix said that he was willing to hear any suggestions the MDFA or any one else had to make concerning these problems and that he was categorically opposed to any railroading or programs which didn't take the needs and wishes of the people in the area into consideration. He noted that the City is responsible for putting in water and sewer in Miller Drive so that the county's contribution to Kinser Pike and the airport can not be considered here. Councilman De St. Croix went on to say that he did not see how the city could come up with the one million plus dollars needed to put water and sewer in in Miller Drive, and he asked Mr. Winter if he had any suggestions to offer. He also asked Mr. Winter how he could conceive of allowing the neighborhood to continue to deteriorate when most people are not able to themselves assume the costs of rehabilitation or to secure a bank loan to do this. Councilman De St. Croix said he was particularly concerned about this in light of the fact that in five years the City will be faced with many homes in this area that will have to be condemned because they are fire hazards and/or structurally unsound and unsafe.

Mr. Winter said he was aware that the entire cost would have to be born by the City of Bloomington and he said this was not his area of competence and he was aware that the City has a number of budgetary problems. He said that utilities seems to make a lot of money. Councilman Towell said that the money for water and sewer lines does not come from the utilities account. Mr. Winter said that he did not believe that the only way to put in sewer and water lines is with federal money.

Councilwoman Zietlow said that the City is interested in as many alternate ways of funding as possible and said that since everyone in the City pays federal taxes it seemed fair that the City should get some of the federal taxation back. She said that if the City could do as good as or even a more extensive program with federal funds than it could do with either existing or increased city taxes, it should consider long and hard before turning back federal funds in light of the fact that there is concern over the present level of taxes in Bloomington.

Mr. Winter said that he didn't think more than 5 people of the 25 at the PAC meeting that originally voted to accept the NDP realized that along with water and sewer would come everything else. He said he thought that, if you consider what the people want you are going to have to adjust very drastically the NDP program or decline it for that area.

Councilman De St. Croix said that he thought it should be pointed out that the likelihood of dilapidated structures going with or without a federal program is not at all remote; if a structure is a fire hazard and a safety hazard for children, the City has a moral responsibility to see that that hazard is corrected. He noted that many of the Council members campaigned for election on the need for code enforcement and housing inspection throughout the city. He said that this is an area that the City has been remiss in in the past and something the Council will have to look into in the future.

Mr. Winter said that he thought that if it was approached reasonably the people will accept that, "these people are not anti-everything you have in mind but they are anti- this 'bulldozer' approach." Councilman De St. Croix said that to call it a "bulldozer" approach was misrepresenting the situation.

Mr. Earl Polley, President of the Miller Drive Freedom Association, said that when he originally voted in favor of the NDP plan, he thought he was voting on water and sewer, and now it appears that homes will be torn down. He said that people should be allowed to fix up their own homes; "if they need help, give them help and let them do it." He expressed concern over the fact that no one seems to know what is really going to happen in the Miller Drive area. Councilwoman Zietlow said that she understood that was true since the plans had not been finished.

Mr. Polley said he understood that he understood that there were going to be 60 foot streets in Miller Drive while streets in the rest of the City are only 38 feet wide. He said, "That's another story that's got to be changed!"

Councilman Towell said that the Council is now facing budget preparation for the next year and it is very hard to tell the rest of the City that there is money available for water and sewer lines and it is being turned down, therefore the tax rate has to go up and water and sewer rates have to go up. He said it would be a hard job, though not impossible. He added that it has to be clear to everyone that these questions involve the whole City and how much people will pay for City government and City utilities in the next few years.

Mr. Polley said that they knew it would take longer the other way but people would be able to stay in their own homes. He said if people are given \$15,000 homes under NDP, they would not be able to pay the taxes on a \$15,000 home. He also said no one said anything about retired people and people over a certain age having to have their children sign for loans.

Mr. Winter asked about the \$153,000 of the NDP grant that was to go for administrative costs. Mr. Linder replied that a program that involves the kind of one-to-one contact between the redevelopment staff and the residents of the area involves time and hence, money. He noted that the Bloomington budget was probably one of the lowest in the State and was very carefully scrutinized by the urban renewal commission.

Councilman Towell said that he wanted to be sure that the Commission was properly referred to as the Redevelopment - not the urban renewal - Commission.

Mrs. Connors said that the Council is only seeing the top of the iceberg of what is happening to human beings in Miller Drive. She said, "the Council is the one neutral body and I think it is required that some kind of leadership is given here by the city council to somehow stop the hatred and the trouble between the neighbors." She said that Mr. Hornaday says that with enough pressure on the City, the residents of Miller Drive will get sewer and water; she asked "Is there foundation for his statement or is he kidding these people?"

Mr. Winter said that all he and Mr. Hornaday have promised the residents of Miller Drive is to do the best they can to get the NDP revised or kicked out; they have given no assurance that they will get water and sewer lines put in in the Miller Drive area.

Councilman Mizell said that he understood that for the City to put in water and sewer lines in Miller Drive they would have to pass a bond issue which means there would have to be petitions signed in favor of the bond issue, and remonstrators would have the opportunity to sign a petition against the bond issue, which would then throw it open to the whole City to decide whether they wanted to pay additional monies in their sewer and water rates to support an additional bond issue to pay for the building of this water and sewer line. One woman who owns rental properties said that she thought Miller Drive should have sewer and water put in but she did not want it put in at a greater expense to homeowners in the City.

Councilwoman Zietlow said she thought it would be unfortunate if it came to this since there is the alternative of the federal funding. She said that the City administration is really interested in getting an NDP program going which will be satisfactory to the people who live in the areas. She said there should be a meeting with the neighborhood groups in the next few days.

Mr. Winter said that this was encouraging and that this was where it has to begin.

Councilman Fix said that if all the energy exhibited at this meeting goes into the preparation of the plans, there should be no problem.

One woman who lives in the Miller Drive area asked why the residents of the area were told they would have sewer and water installed without any additional taxes. Councilwoman Zietlow said that she had no idea why such a promise was made or who made it.

Geoff Grodner presented a request from the Board of Public Works for guidance and advice from the Council as to the allocation this year of some of the cumulative capital improvement fund. He said the Board wanted to have some idea of how the Council planned to allocate the funds or if the Board can allocate it for some specific projects: wiring of the police department, which was estimated by the engineering department to cost at least \$6400 to bring the wiring up to code; and the fire department fourth street building needs some specific improvements which Chief Goss has communicated to the Councilmembers individually.

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

Councilman De St. Croix asked Mr. Grodner to supply the Council with cost estimates for the projects that have been identified as being needed at this point and an indication of how much funds are available for this year. He requested a written presentation on these figures for the Council.

Councilwoman Zietlow suggested that the utilities committee of the Council meet with the Board of Public Works to work on a presentation to the Council.

None.

REPORTS FROM STANDING
COMMITTEES

Councilman De St. Croix said that in the interest of the length of the Council meeting and the previously set cut-off time, the chairmen of the subcommittees of the Manpower Task Force have agreed to wait until the next Council meeting to make their presentations and answer questions. He noted that this will give the Council time to study the Task Force Report which was handed out to the Council at this meeting. Councilman De St. Croix thanked the Chamber of Commerce, Mr. Stroh, business and industry people, and the people on the Task Force who put in thousands of manhours in interviewing

REPORTS FROM SPECIAL
COMMITTEES

Manpower Task Force

people, in meetings, in discussions, and in compiling the reports. Councilman De St. Croix said that the Task Force is taking a vacation and will begin meeting again in August to go over the report and begin to set up priority areas and try to decide what can be done to meet some of the needs the report begins to point out.

Councilman De St. Croix noted that there are only a limited number of copies of the report available in the Mayor's office and requested that anyone who checks out a copy return it as soon as they have finished reading it so that others may also look at it. He said he hope arrangements could be made in the near future to have some stencils cut to permit duplication on a less expensive scale than xerox so wider distribution could be made.

Councilman De St. Croix said that the report, entitled, "Preliminary Analysis of Manpower and Employment in the Greater Bloomington Area" includes the following sections:

"Report of the business and labor subcommittee"; "report of the new jobs and federal programs subcommittee"; "women's earnings: selected occupations in manufacturing and industries, Monroe County and others"; "job related training programs in Monroe County"; "support services"; "The Monroe County labor market"; "Wage-salary survey of Monroe County and fourteen others"; a report from the women's subcommittee will be ready and distributed to the Council in the near future.

Councilman Davis reported to the Council. He said that the written report which was distributed to the Council before the meeting summarized the fact that the committee had no opinion. Some people felt that the property should be sold but most people felt that they did not have enough information in hand to move with any kind of confidence unless a bid came in that was close to the amount that we had invested in the property, a bid which was not anticipated. If bids had come in, Councilman Davis said the committee would have liked to have evaluated them. He added that if the Council has a job for the committee it will respond; he said it has been a good working committee, in spite of real frustrations and ambiguities about the value of the property and possible uses for the property.

Kirkwood and Dunn
Committee

Councilman Davis said that the feeling was strongly expressed in the committee that the property should not be sold at a substantial loss, but the committee decided not to present the Council with any one proposal but to summarize the opinions expressed by the various committee members.

Councilman De St. Croix thanked Mr. Wilson for putting benches on the property eventhough they do tend to move. He asked if there might be some way to stake the benches down.

Councilman Towell said that this was not an official report from the Committee (Alfred Towell, Richard Fee, Vernon Sparks) but it intended as a means of putting information into the public domain prior to the public hearing scheduled to be held in the next few weeks. Councilman Towell said that whatever decision is eventually arrived at in regards to Cable TV in Bloomington will be an important one for the future of the City. He introduced Vernon Sparks.

Cable TV Committee

Mr. Sparks said that discussion of Cable TV involves talking about the prospects of turning every home television receiver into an instrument that can receive up to 20 or 30 - possibly 100 or 200 - channels of audio-visual information.

He said that the breadth of programming can be said to cover entertainment for all tastes along with the possibility of greatly expanded educational television for all age groups, including possibly vocational education. There is also the capability of greater public service programming whereby citizen groups could communicate with a broader spectrum of the community than presently possible.

Mr. Sparks said that while Indiana has not yet made Cable TV a public utility, the attorney general has said that, in his own opinion, this is a real possibility. Mr. Sparks suggested that by changing Cable TV from its present status as a private industry to a public utility the City would be in a position to ensure the legal and technical flexibility that is needed if the broad potential of Cable TV is to be realized.

A second precondition for expanded use of Cable TV in Bloomington is the "gearing up" of receptivity on the part of the residents of Bloomington toward Cable TV.

The things that, according to Mr. Sparks, the City of Bloomington needs to do to ensure the two preconditions are:

1. That the City guarantee adequate extension of service (i.e., to apartment buildings) and that adequate service will be maintained.
2. That the City and Monroe Cable explore the possibility of Monroe Cable satisfying the 20 channel limits earlier than the 1977 dates given by the FCC.
3. There should be a right of the City to amend the franchise in the future to meet the public need and benefit as it develops in the future.
4. Some form of community communication council be developed to explore ways of using the new medium as it is developed. This would be funded by a City return from the Cable TV revenues itself.

Mr. Sparks said negotiations will be starting Monday or Tuesday with Monroe Cable and he expected the negotiations to extend over several weeks and possibly months. He said

these negotiations will result in a new franchise which will then be submitted to the public for their response in a probably additional public hearing.

Mr. Sparks noted that the present franchise of Monroe Cable is not an exclusive franchise; other companies can be invited if the City thinks they could do a better job.

Mr. Sparks said that the public hearing will be held in August, probably Wednesday, August 2, 1972. He invited the public to submit suggestions and comments about Cable TV. They should be addressed to him, in care of the Board of Public Works.

Councilman Towell said that he would like to see the Council meetings limited in their extent on any given night. He said he was happy that something like that went through for this Council meeting. He would like everyone on the Council to give it some thought.

MESSAGES FROM
COUNCILMEN

Councilman De St. Croix suggested that the Council should begin to look at the possible adoption of procedures to facilitate Council business. He cited the new procedures of the Plan Commission as a possible model, though he recognized the character of Council meetings was not identical to that of the Plan Commission meetings.

Councilwoman Zietlow referred the problem to the Council Rules Committee, of which Councilman Towell is chairman. Councilman Towell noted that the Council has voluminous rules that have never been used and expressed the thought that there may already be all the rules that the Council needs. He said he thought this was the first Council in recent years to use the committee structure. He cited the kind of work done by the Manpower Task Force as an example of how the committee structure could be used.

Councilman Morrison moved that Resolution No. 72-36 be introduced and read by the Clerk. Councilman De St. Croix seconded the motion and it was carried by a unanimous voice vote.

RESOLUTIONS

No. 72-36 Flood Plain Insurance

Mrs. Johnson read Resolution No. 72-36.

Councilman Morrison moved that Resolution No. 72-36 be adopted. Motion seconded by Councilman De St. Croix.

Councilman Morrison said that he was concerned with the use of the term "Building Inspector" in the resolution. He felt that for a building inspector to do all of the duties listed, he would have to be a civil

engineer and would then supersede the City Engineer. Councilwoman Zietlow said that the form of the resolution was sent by HUD and could be amended to fit the needs of the City more closely. Councilman De St. Croix said that if the working were changed to read "City Engineer" rather than "Building Inspector", even if the building inspector did the survey, the City Engineer would have to make the determination as to compliance with the resolution. Councilman De St. Croix moved that the resolution be amended to substitute "City Engineer" in all instances where the term "Building Inspector" is used. Councilman Morrison seconded the amendment motion.

In response to a question from Councilman Towell regarding whether "Building Commissioner" might not be a more appropriate term since the City Engineer is the Building Commissioner, Mr. Owens said that since the City of Bloomington does not have a Building Commission, per se, he would not be in favor of using that term. Councilman Towell asked if it would not be possible for the Council to declare the City Engineer a Building Commissioner so that all state laws which use the term "Building Commissioner" would apply appropriately. Mr. Owens said that he had not read the state statutes in question and so could not give an opinion.

The question was called. The amendment was approved by a unanimous voice vote.

Councilman Morrison moved that Resolution No. 72-36 be adopted as amended. Councilman De St. Croix seconded the motion.

Councilman Davis asked whether the Council did review subdivision applications as stated in the last paragraph of the resolution. Councilman Mizell answered that the Plan Commission does this but would be happy to pass them on to the Council, if the Council is interested. Councilwoman Zietlow said that she had the impression that HUD would prefer to have this provision included in the resolution and that she understood that if the Council passed this resolution quickly, flood insurance would be available to Bloomington in three weeks. She said she assumed this meant that the HUD officials would have accepted the job of doing the study which was the Council's original concern with the flood plain insurance program.

Mr. Crossman, Planning Director, said that the subdivision regulations are in fact section 19 of Bloomington's municipal code and as such have been adopted by the Council and are therefore part of the regulations of the Common Council. The Council, implicitly then, would have the power to itself review subdivision plans. He said he thought what had happened is that this review procedure has been treated as an administrative function of the Plan Commission just as many other functions of the City are treated as administrative functions of the various and sundry city departments. He did not consider the resolution as drawn up to be, in any way, in conflict with the operative procedures as they presently exist.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman Morrison moved that Resolution No. 72-37 be introduced and read by the Clerk. Councilman De St. Croix seconded the motion and it was carried by a unanimous voice vote.

Resolution No. 72-37
Transfer of Funds

Mrs. Johnson read Resolution No. 72-37.

Councilman Morrison moved that Resolution No. 72-37 be adopted. Councilman De St. Croix seconded the motion.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Resolution No. 72-38 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Resolution No. 72-38
Investment of Funds

Mrs. Johnson read Resolution No. 72-38.

Councilman De St. Croix moved that Resolution No. 72-38 be adopted. Councilman Morrison seconded the motion.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix said he would like to have the city attorney explore the possibility of the Council giving a certain time-specified power to the controller to invest these kinds of funds that are continually accruing so that the City can get additional interest rather than waiting a two-week period for a coming Council meeting to pass a resolution. Mr. Owens said that he thought the Council was in a sense doing this already in that the Controller is bringing these resolutions to the Council before the money has come in so that no time or interest has been lost. The Controller said that there was one instance when there was a time lapse between the time the money came in and the next Council meeting. But she said then she called the Council members individually to get permission to invest the money before the resolution was officially acted on. She also said she had once asked Mr. Register, the Corporate Counsel, about a blanket investment resolution. He had said it could be done but it was not necessarily the best thing to do.

Councilman De St. Croix said that, while this is perhaps what the Council is doing in practice, he would like to have it spelled out that this is what the Council is doing.

Mr. Owens said he would look into the matter and report back to the Council.

Councilman De St. Croix moved that Ordinance No. 72-40 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and was carried by a unanimous voice vote.

ORDINANCES--SECOND READING
Annexation Ordinances

Ordinance No. 72-40
Best Beers, Inc.

Mrs. Johnson read Ordinance No. 72-40, by title only.

Councilman De St. Croix moved that Ordinance No. 72-40 be adopted. Councilman Morrison seconded the motion.

Mr. Ownes elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-41 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and was carried by a unanimous voice vote.

Ordinance No. 72-41
Marathon Service Station
Kinser & Gurley Pikes

Mrs. Johnson read Ordinance No. 72-41, by title only.

Councilman De St. Croix moved that Ordinance No. 72-41 be adopted. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance 72-44 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-44
Oakdale Square Apartments

Mrs. Johnson read Ordinance No. 72-44, by title only.

Councilman De St. Croix moved that Ordinance No. 72-44 be adopted. Councilman Morrison seconded the Motion.

Mr. Owens elaborated on the location of the property for the Council. In response to a question from the Council, Mr. Owens said that all of these annexation ordinances were voluntary annexations.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-45 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-45
Leonard Springs Road
Shopping Center

Mrs. Johnson read Ordinance No. 72-45, by title only.

Councilman De St. Croix moved that Ordinance No. 72-45 be adopted. The motion was seconded by Councilman Morrison.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-46 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-46
Lupe, Inc. Apartments

Mrs. Johnson read Ordinance No. 72-46, by title only.

Councilman De St. Croix moved that Ordinance No. 72-46 be approved. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-47 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-47
Dunhill Apartments

Mrs. Johnson read Ordinance No. 72-47, by title only.

Councilman De St. Croix moved that Ordinance No. 72-47 be adopted. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-48 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-48
Pygmy Putt

Mrs. Johnson read Ordinance No. 72-48, by title only.

Councilman De St. Croix moved that Ordinance No. 72-48 be adopted. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-49 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-49
Farm Bureau Insurance
Agency on West Third

Mrs. Johnson read Ordinance No. 72-49, by title only.

Councilman De St. Croix moved that Ordinance No. 72-49 be adopted. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-50 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-50
Bonded Oil Company
Station on West Third

Mrs. Johnson read Ordinance No. 72-50, by title only.

Councilman De St. Croix moved that Ordinance No. 72-50 be adopted. Councilman Morrison seconded the motion.

Mr. Owens elaborated on the location of the property for the Council.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Mrs. Johnson, City Clerk, certified that these ordinances have been posted as according to ordinance in the Chamber of Commerce, the Monroe County Library, the Mayor's Office and the City Clerk's Office for two weeks.

Councilman De St. Croix moved that Additional Appropriations Ordinance No. 72-3 be read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Additional Appropriations
Ordinance No. 72-3

Mrs. Johnson read Additional Appropriations Ordinance No. 72-3 by title only.

Councilman De St. Croix moved that Additional Appropriations Ordinance No. 72-3 be adopted. Councilman Morrison seconded the motion.

The ordinance is for the City's portion of the funding for the Kinser Pike project. Councilman Towell asked whether this construction would be done in time for school. Councilman Fix said that he understood the contract had a completion date prior to the beginning of school.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-42 be read by the Clerk, by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-42
City-County Joint Board
of Parks and Recreation

Mrs. Johnson read Ordinance No. 72-42, by title only.

Councilman De St. Croix moved that Ordinance No. 72-42 be adopted. Councilman Morrison seconded the motion.

Councilman Ackerman moved that Section 6, entitled, "Effective Date", be amended to read as follows: "Upon passage and promulgation by the Common Council of the City of Bloomington and after passage of a similar enacting ordinance by the Monroe County Council, this ordinance shall be in full force and effect on January 1, 1973. If the Monroe County Council fails to pass an ordinance enacting the provisions of the informal agreement on May 3, 1972, within ninety (90) days of that date then this ordinance is void and of no effect."

Councilman Ackerman explained that this amendment delays the effective date to facilitate bookkeeping for the joint board.

In response to a question from Councilman Morrison, Mr. Wilson, Director of Parks and Recreation for Bloomington, said that no specific percentage breakdown of City vs. County share of the finances had been worked out. He said that, after discussion with both boards, he anticipated that the County's park budget for next year would be similar to what it was this year. He added that the County Park Board is proposing the balance of the budget, up to a five cent tax rate be set aside to underwrite the City. In other words, the County would be giving the City a lump sum of approximately \$40,000, that would just reduce the City's rate.

Mr. Wilson said the Joint Board will be the two park boards merged to work jointly together. He said it cannot yet be done as a single unit system because of some provisions in the law which do not allow for everything that would be needed by the body to be included in the powers of a single body.

Councilman Morrison asked if the Council could have copies of the County Park Board's budget.

Mr. Lloyd Keisler, President of the County Park Board, spoke to the council. He said that each Council will act on its own budget but will have access to the parks and recreation budget of the other council.

Councilman De St. Croix asked how this joint board, in terms of the tax impact on the whole community, will affect the proposed bond issue which will significantly expand and improve on the current city park system and at the same time necessitate that only city residents will be paying that bond issue. Mr. Wilson said that the bond issue would still be a city bond issue.

Councilman De St. Croix asked if there was any provision whereby the County would pay a proportionate share in terms of the budget for that new bond issue which is going to improve the park facilities. Mr. Wilson answered that the City Attorney would have to comment on whether or not the bond indebtedness could be spread over to the County when the board merges into one unit. He said there could perhaps be a reduction in the City's share of the total park expenditures but he did not know whether the indebtedness itself could be shared.

Councilman Towell said he thought this was a step in the right direction and that gradually there would be more parity in the support of the parks.

Mr. Wilson said that the merger ordinance protects both the City and the County, should either decide that the joint board does not work well under this agreement. He added that he did not think such protection was necessary since there has been good cooperation between the two bodies so far.

He said that he would be happy to provide the Council with information on the bond issue and how it relates to the joint park board.

Mr. Wilson went on to explain that the County would be giving its contribution to the park board budget to the City and the City would then handle all bookkeeping. This is according to the state law which states that the larger of the two merging bodies will provide the budget rather than maintaining two sets of books. Mrs. Sims, City Controller, said that she thought the City should be reimbursed for the extra work. Mr. Wilson said there will be a provision in the park board budget for bookkeeping in the park department but so far no arrangement had been made to move funds to the Controller's Office.

Councilman Towell reiterated the fact that he was pleased with the proposal and congratulated Mr. Wilson and the members of the County Park Board who had worked on it.

Councilman Ackerman asked why the composition of the joint board was not specifically spelled out in the ordinance. Mr. Wilson replied that this was all spelled out in state law and would simply be redundant here. He noted that the two park boards voted to make the joint board simply a merger of the two so that all members could participate for the first year and then make a determination as to whether or not a smaller "executive" board would be preferable in the future.

In response to a question from Councilwoman Zietlow, Mr. Wilson said that it was his understanding that the Superintendent of Parks and Recreation for Bloomington and Monroe County will be the Director of Parks and Recreation for Bloomington.

Mrs. Sims reiterated her concern that the County should reimburse the City for the added bookkeeping. Mr. Keisler said that this was according to state law and could not be changed. He added that in the County's share of the board budget, they will propose a substantial payment to the City for the joint board. If this payment, in turn, relieves some of the City's appropriations for parks and recreation, Mr. Keisler said, that then the Council could adjust this in regard to the Controller's Office. He said that the

budgeting from the County to the City would be handled in the "gross" situation, enabling the City some flexibility in just how these funds are allocated to handle the expenses of the joint park board.

In response to a question from Councilman Morrison, Mr. Keisler explained that there would be two separate budgets - one from the County and one from the City, which would then be joined together by City personnel.

Councilman Morrison expressed concern as to whether this was going to be an equitable arrangement since the City residents pay both the City and the County taxes, while the County residents pay only County taxes. Mr. Keisler said that this was a first step toward a joint parks and recreation arrangement that would be truly equitable.

Councilman De St. Croix said that, at such time as it becomes apparent that the joint board is creating more work for the City Controller's Office, the Council could, as suggested by Mr. Keisler, adjust the City's park budget down and the Controller's up. He said he thought that the mechanism existed whereby the Council could make an internal adjustment in the City's budget, without directly involving County funds.

Mr. Keisler said that he did not think there would be a great deal of additional work created for the City through this agreement.

In response to a question from Councilwoman Zietlow, Mr. Keisler said that this will be the first joint city-county park board in the state.

The question was called.
Roll Call Vote: Ayes 8, Nays 0.

Councilman Towell moved that the time for adjournment be moved to 11:20 p.m., as it was already 11:05 p.m. Councilman De St. Croix seconded the motion.

ADJOURNMENT MOTION

Councilman Ackerman said he wanted to be sure the Council had enough time to have the first readings of the ordinances on the agenda. The City Clerk said there was sufficient time.

The motion was carried by a unanimous voice vote.

Councilman De St. Croix moved that Ordinance No. 72-43 be introduced and read by the Clerk by Title only. Councilman Morrison seconded the motion and it was carried by a unanimous voice vote.

ORD. SECOND READINGS
CONTINUED

Ordinance No. 72-43
repeal of Ord. 71-59
sewer rates

Councilman Morrison moved that Ordinance No. 72-43 be tabled. Councilman De St. Croix seconded the motion.

Councilwoman Zietlow said that the Board of Public Works had written the Council requesting that the Ordinance be tabled. The text of that letter is included here in the minutes:

"Mrs. Charlotte Zietlow
President of the Common Council
Bloomington, Indiana 47401

"Dear Mrs. Zietlow:

"The Board of Public Works respectfully requests that the ordinance to repeal 71-59 be tabled after it is given the second reading. This change from our earlier request for passage of the ordinance is predicated by three factors. First, repeal of the ordinance at this time would cause near mass confusion for the Utilities Department's Commercial Office, as they are in the midst of administering the revised sewer rates for the summer months, and discontinuing the policy now would be self-defeating as one motive behind the idea of repealing 71-59 was to prevent an enormous bookkeeping problem.

"Secondly, the ordinance was written without due consideration to its financial implications, and it was passed without any discussion as to its financial impact on the Utilities Department. The repeal was designed to forestall the implementation of the reduced charge system before it was initiated. Since the system has been put in effect, we have discovered that the system causes a loss in sewer revenue of less than \$10,000 per summer, a figure lower than anticipated by the Board of Works when first requesting the repeal.

"Finally, the Board feels that since the reduced charge system is presently in effect, and discontinuation at the present time would work a severe hardship on the Commercial Office, the repeal should be tabled until the City has the complete Balck and Veatch financial report on utilities operation which is presently being prepared. After the report is complete, we should be better able to determine exactly what should be done vis-a-vis Ordinance 71-59.

"Thank you for your consideration.

"Bloomington Board of Public Works"

Signed:

Mary Lou Brown, President
Richard W. Fee
David Rogers

The question was called.

Roll Call Vote on the tabling motion:
Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-51 be introduced and read by the Clerk. Councilman Morrison seconded the motion and it was carried by a unanimous voice vote.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES
Ordinance No. 72-51
Zoning Ordinance

Mrs. Johnson read Ordinance 72-51.

Councilman De St. Croix moved that Ordinance No. 72-52 be introduced and read by the Clerk. Councilman Morrison seconded the motion and it was carried by a unanimous voice vote.

Ordinance No. 72-52
Animal Control

Mrs. Johnson read Ordinance No. 72-52.

Councilman De St. Croix moved that Ordinance No. 72-53 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Ordinance No. 72-53
Exotic Animal Control

Mrs. Johnson read Ordinance No. 72-53.

The Council instructed the City Clerk to place copies of Ordinances 72-52 and 72-53 in various places around the City to make them available to the general public for their information prior to the second reading scheduled for the next Council meeting.

The City Clerk informed the Council that she is currently verifying the signatures on a petition submitted to her which, if the petition is proven valid, will be submitted to the Council with the recommendation that the question of a separate utilities board be on the ballot in November.

MESSAGE FROM THE CITY CLERK

None.

REMONSTRANCES AND OBJECTIONS FROM THOSE AFFECTED BY PROPOSED PUBLIC IMPROVEMENTS

Councilman De St. Croix moved that the Council be adjourned. The motion was seconded by Councilman Morrison. The meeting was adjourned at 11:20 p.m.

ADJOURNMENT

Charlotte T. Zietlow
Charlotte T. Zietlow, President

ATTEST:

Amy G. Mann
Amy G. Mann, Secretary

Resolution No. 72-36
July 6, 1972

A RESOLUTION CONCERNING CONSTRUCTION IN
AREAS OF THE CITY OF BLOOMINGTON, INDIANA,
IN WHICH THERE IS DANGER OF FLOODING.

WHEREAS, The City of Bloomington has heretofore adopted by reference the 1970 Edition of the Uniform Building Code, Volume 1, and

WHEREAS, Section 201(a) of the Uniform Building Code as adopted by the City of Bloomington prohibits any person, firm, or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving, or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the City Engineer, and

WHEREAS, the City Engineer must examine all plans and specifications for the proposed construction when application is made to him for a building permit, and

WHEREAS, the Common Council of the City of Bloomington is aware that the City of Bloomington does have special flood hazards, and

WHEREAS, Appendix B of the "Code of Ordinances, City of Bloomington" set forth and established subdivision regulations within the City of Bloomington wherein the City Engineer, the Planning Department and the Common Council shall review all subdivision plans and plots when any area is proposed to be subdivided within the City of Bloomington.

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

1. That the City Engineer for the City of Bloomington when reviewing applications for building permits, including the plans and specifications for the proposed construction, will review all building permit applications to determine if the proposed construction is consistent with the need to minimize flood damage.

2. That the City Engineer shall review all building permit applications to determine if the site of the proposed construction is reasonably safe from flooding and to make recommendations for construction in all locations which have flood hazards.

3. That the City Engineer, in his review of all applications for construction in flood hazard locations within the City of Bloomington shall require the applicant to provide, in his plans and specifications, the following:

a. Construction so as to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding.

b. The use of construction materials and utility equipment that are resistant to flood damage.

c. The utilization of construction methods and practices that will minimize flood damage.

d. To provide adequate drainage in order to reduce exposure to flood hazards.

e. To locate public utilities and facilities on the site in such manner as to be elevated and constructed to minimize or eliminate flood damage, such utilities and facilities including sewer, gas, electrical and water systems.

4. It is further resolved that the City Engineer, the Planning Department, and the Common Council in their reviewing of all subdivision applications shall make findings and determine if:

a. All such proposed developments are consistent with the need to minimize flood damage.

b. Adequate drainage is provided so as to reduce exposure to flood hazards.

c. Adequate drainage is provided so as not to increase the exposure to flood hazards of adjacent lands.

d. All public utilities and facilities are located, elevated and constructed so as to minimize or eliminate flood damage, these utilities and facilities to include sewer, gas, electrical and water systems.

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

ATTEST:

Grace E. Johnson
Grace E. Johnson

Adopted:

7/6/72

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

RESOLUTION No. 72-37

July 6, 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:

DEPARTMENT OF REDEVELOPMENT

FROM #26 - Contractual Services		\$1,200.00
TO #72 - Equipment	\$ 300.00	
#41 - Building Materials	300.00	
#21 - Postage, Travel & Phone	400.00	
#37 - Other Supplies	200.00	
FROM #55 - Subscriptions & Dues	\$ 200.00	
TO #36 - Office Supplies	\$ 200.00	

PLANNING DEPARTMENT

FROM # 1 - Services Personal		\$ 195.00
TO #55 - Subscriptions	\$ 195.00	
FROM # 1 - Services Personal		\$4,010.00
TO #72 - Equipment	\$4,010.00	

ROSEHILL CEMETERY

FROM #44 - Other Materials		\$ 182.00
TO #51 - Insurance	\$ 182.00	

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

APPROVED: 7-6-72

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

ATTEST: Grace E. Johnson

ADOPTED: 7-6-72

RESOLUTION NO. 72-38

July 6, 1972

INVESTMENT OF FUNDS

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 investments into Government Securities yielding the highest rate of interest obtainable, consistent with safety, to-wit:

SANITATION OPERATING & MAINTENANCE FUND

\$500,000.00

to mature in approximately three months from date of investment.

Charlotte T. Zietlow

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

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

ATTEST: Grace E. Johnson

Adopted: July 6, 1972