

In the Council Chambers of the Municipal Building, on Thursday, September 7, 1972, at 7:05 p.m., E.S.T., with Council President Charlotte T. Zietlow presiding.

REGULAR MEETING
COMMON COUNCIL
CITY OF BLOOMINGTON,
INDIANA

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

ROLL CALL

Absent: None

Mayor Francis X. McCloskey;
Marvard Clark, Assistant City Engineer;
George Walkenshaw, Director of Utilities;
Richard Gose, Fire Chief; Carl Chambers,
Police Chief; Martha Sims, Controller;
James Register, Corporate Counsel;
Danny Fulton, Director of Redevelopment;
Tim Hodenfield, Assistant to the Board of
Public Works; James Wray, Director of
Transportation; Bill Workman, Chief
Mechanic; Ted Najan, Assistant to the
Mayor; Grace Johnson, City Clerk.

CITY OFFICIALS PRESENT

Approximately 25 people, including members of the press.

OTHERS PRESENT

Consideration of the minutes of the meetings of August 28, 1972, was deferred until the next meeting.

MINUTES

None

OLD BUSINESS

None

EXAMINATION OF CLAIMS

Councilman Behen MOVED THAT THE COUNCIL ADJOURN THIS MEETING AT 10:00 p.m. Councilman Morrison seconded the motion. Councilman Behen said that he was making this motion in view of his health.

ADJOURNMENT MOTION

THE MOTION WAS CARRIED BY A UNANIMOUS VOICE VOTE.

Mayor McCloskey addressed the Council. He said the changes are excellent that there will be a sale of the Kirkwood and Dunn property in the near future. He said that he and Mr. Register have been negotiating with a downtown realtor about two possible sales. One involves the front lot only (the lot bordered by Kirkwood, Dunn and the intersecting alley); the other sale involves the entire property. The Mayor said that his thinking at this point is that the interests of the City may be better served by the sale of the front lot only. This would leave the City with the large rear lot that could be used for off-street parking and perhaps for other municipal purposes. The Mayor said the possibilities of a limited mall operation along Kirkwood are good; if the City sells the entire lot, we will forgo that option. The Mayor said he was not ruling out the sale of the entire lot as the City engages in further negotiation. He said he thought there may be another offer for the front lot in the next few days. He said he hoped to have good news about the property in the near future; he said that he thought everyone would breathe easier when the property is back on the tax rolls, and serving the community better than it is at this point.

MESSAGE FROM THE MAYOR

Kirkwood and
Dunn property

The Mayor said the Redevelopment Commission has approved voting procedures for the Neighborhood Development Plan programs. NDP Voting Procedures

He said he thought it was a very good voting policy statement; one that is guaranteed to ensure the maximum possible neighborhood participation with a truly minimal possibility of interference. He said that he thought it was to the best interests of all citizens of Bloomington that this program be accepted with a maximum of citizen input. He said he thought the Redevelopment Commission, the redevelopment staff and the entire city administration, including the Common Council, have made a sincere effort to maximize citizen input and will continue to do so. He said that at this point he is very optimistic that the residents and property owners of the Miller Drive neighborhood will vote approval. He said Danny Fulton, Director of Redevelopment, would explain the procedures for voting to the Council.

The Mayor said that the TOPICS program has been moving along at a very good rate in relation to East Third Street; the mall area and the by-pass. Bids were advertised this week for improvements on Third Street from High to the Bypass and on College Mall Road from First to Third Street. He said there has been very good cooperation in recent weeks from state highway officials in getting information and having them come to Bloomington, and getting required clearances. Jim Wray has been working very hard in this area. The Mayor said they hoped to have the major improvements underway within the next month and if the weather holds and all goes well, it may well be that the major \$450,000 improvements will be completed by January 1. He said Jim Wray deserved a special word of credit for his work on the project; he did find and apply the laws that allow the R&S funds to match the TOPICS funds and the TOPICS funds to match the R&S funds. This is not the way it was originally programmed. It was originally planned that \$73,000 from the property tax levy would be used as matching funds on the TOPICS. The Mayor said that, in effect, the City has received a lot more road mileage out of the tax dollar in the year. TOPICS

The Mayor said that on September 6 he attended the legislative and executive committee meeting of the Indiana Association of Cities and Towns. He said the overwhelming thrust of public officials there, a large portion of whom were mayors, was that for some reason city officials have been lax in not taking urban interests to the legislature; they seemed to think we've come off very poorly in relation to the lobbying efforts of county commissioners. They are making a very strong effort to encourage mayors and common council members to make a lot of visits to Indianapolis; there is a major lobbying program underway and councilmembers are specifically invited to attend the convention of the association the week after next. The Mayor said he hoped many of the Councilmembers will partake of this opportunity. He said he had arranged to receive copies of the recent legislative proposals and he said he would be getting copies of this to the Councilmembers shortly. I.A.C.T.

The Mayor said that in the last few days he has met with the Monroe County Commissioners and with the county and municipal officials in two other counties about the possibilities of establishing a regional planning commission. He said the response ranged from "most favorable" to "somewhat interested". Considering the overall response, he said it was almost a certainty that by the middle of next year there will be a regional planning commission established, which will be important for regional clearance of federal funding. Regional Planning

Mayor McCloskey said that work has been going forward concerning the establishment of an area planning commission. He said one of the problems has been getting everyone together to draft a policy statement; he said he hoped that this would be done the week after next, when he gets out of the County Tax Adjustment Board Hearings. He said he is hoping to get a favorable response from the County Commissioners to have a planning commission that truly does represent the City and the County.

Area Planning Commission

Mayor McCloskey said that the City Administration is most proud of the unprecedented achievements of Mark Spitz at the Olympics in Munich. He said he was sure that he would be duly honored by the City when he returns to Bloomington.

Mark Spitz

Mr. K. Edwin Applegate addressed the Council on behalf of Charles A. and Martha Ziegler who would like the City to vacate a portion of First Street. Mr. Applegate said that he was petitioning the Council to instruct the City Attorney NOT to oppose the vacation. He said that if the City was going to oppose the vacation, he would advise his clients not to spend the time and money going to court.

PETITIONS AND COMMUNICATIONS

K.E. Applegate

Mr. Applegate presented the following documents to the Council:

STATE OF INDIANA)		IN THE BLOOMINGTON CITY COUNCIL
)	SS:	
COUNTY OF MONROE)		
CHARLES A. AND)		SEPTEMBER 1972
MARTHA ZIEGLER)		
)		
v.)		
)		
CITY OF BLOOMINGTON)		

NOTICE OF INTENTION TO PETITION THE CITY OF BLOOMINGTON TO VACATE A CITY STREET

Come now the plaintiffs, by their attorney, K. Edwin Applegate, and for their Notice of Intent to Petition, show the Bloomington City Council the following:

1. That the petitioners, Charles A. and Martha Ziegler are fee simple owners of the real estate described as lots number 31 and 32 in Sheridan Place, a subdivision, said lots being located at 800 S. Mitchell street at the corner of Mitchell and First Street in Bloomington, Indiana;

2. That the petitioners will seek to have the City of Bloomington vacate a strip of land to the north of their lots numbered 31 and 32, and lying between First Street and the north boundary of their said property. The land to be vacated is illustrated grafically as the "dotted area" in exhibits "A" and "B", attached hereto and made a part hereof:

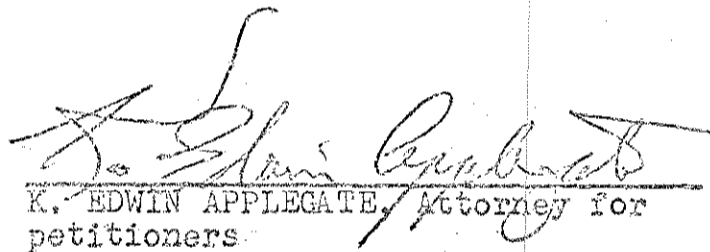
3. That no other person or persons other than the petitioners will be particularly effected by such vacation;

4. That the said land sought to be vacated is not and never has been used by the public for travel or otherwise, and is not nor never has been paved or improved as a street or sidewalk;

5. That the said proposed vacation is similar to the one petitioned for and obtained by Albert Hoadley, Cause Number 28356, in 1951. Said vacated area is marked as "Area D" on exhibit "A". The proposed Ziegler vacation is marked as "Area E" on exhibit "A"

6. That petitioners plan to construct an unattached car port on their property. To do so and still be within the requisite front yard restriction, it is necessary for the petitioners to seek the vacation of the city land described herein.

WHEREFORE, your petitioners request that the City Council instruct the City attorney, that after having satisfied himself that any petition to vacate made pursuant to this notice is valid and appropriate, he will then not oppose said vacation.


K. EDWIN APPLGATE, Attorney for
petitioners

KEY TO EXHIBIT A

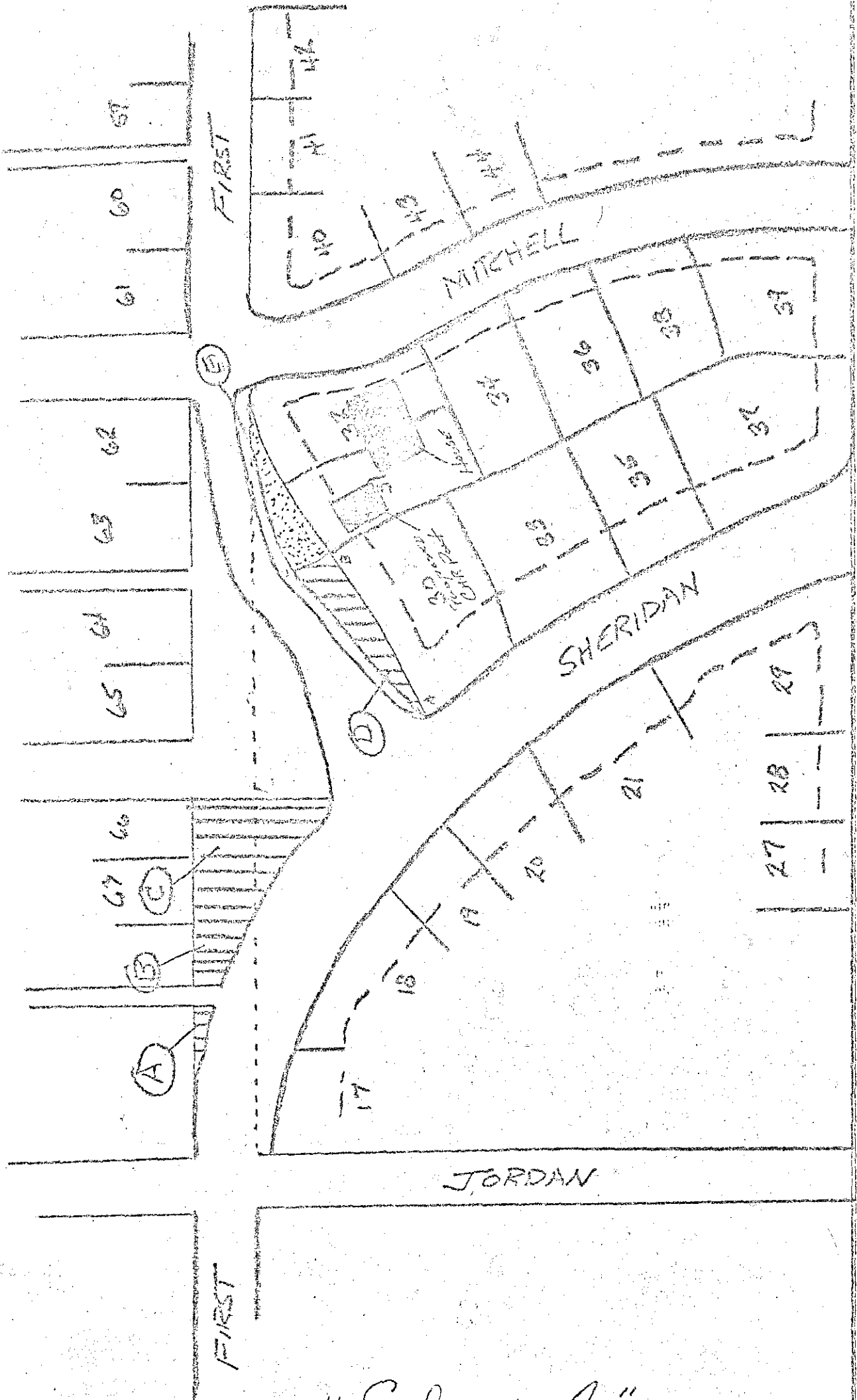
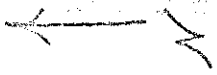
Area (A) Vacated 1929
Area (B) Vacated 1948
Area (C) Vacated 1951
Area (D) Vacated 1951
Albert Hoadley
Cause # 28356
Lot #30

DEMENSIONS OF THE "HOADLEY" VACATION

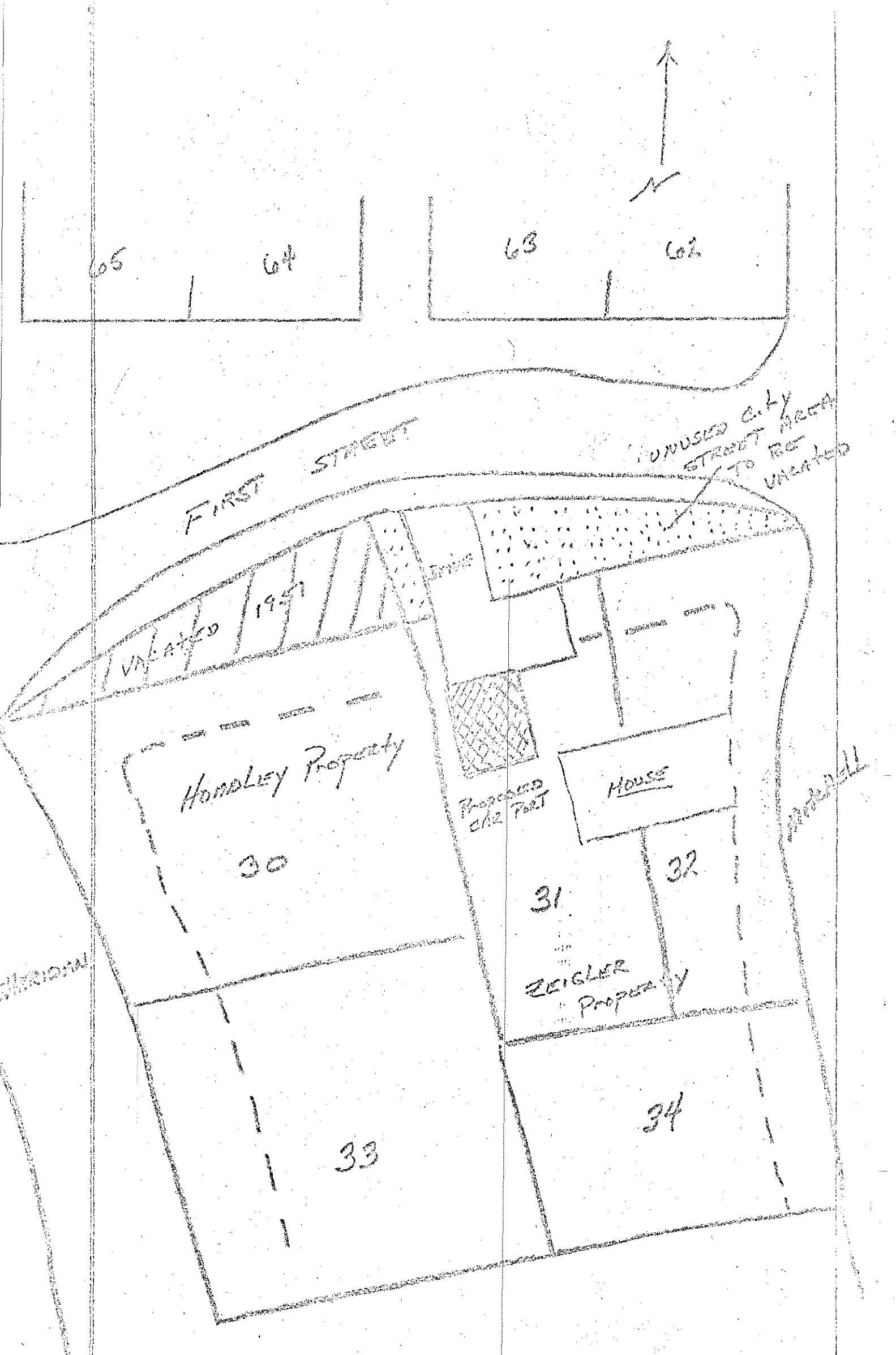
Side AB	N 65° 15' E	136.9 feet
Side AC	S 50° 21' W	140.5 feet
Side BC	N 24° 45' W	36. feet

Area (E) Ziegler's Proposed Vacation
Ziegler owns lots 31 and 32

- (1) Hatched Area is car port to be constructed approximately 15' x 25'
- (2) The street side of the car port now borders approximately the property line. The vacated street would extend the property line another 36 feet in front of that present line immediately in front of proposed car port.
- (3) The proposed Ziegler vacation is approximately the same deminsions as the Hoadley Vacation and matches with it to make a smooth property



"Exhibit A"



"Exhibit B"

Council president Zietlow said that her feeling on this matter and the recommendation of the City Attorney is that this should be a matter for the Board of Public Works.

Mr. Applegate said that he has found in the past that the City Attorney receives his instructions from the City Council, not the Board of Public Works, so he was petitioning the Council.

In response to a question from Councilman De St. Croix, Mr. Applegate said that the Ziegler's request for vacation was matching a vacation made in 1951 for the adjoining lot which would, by itself, create difficulty if the City wanted to expand First Street.

In response to a question from the Mayor, Council president Zietlow said that the Council does have the recommendations of the planning and engineering departments which are to generally oppose vacation of streets and alleys. Councilman Mizell said that he thought the traffic commission should also make some input into the question.

Mr. Applegate said that if there was not going to be a decision from the Council at this meeting, he would request that it be turned over to an appropriate study committee for consideration. Council president Zietlow said that the appropriate committee would be the Standing Committee on the Board of Public Works.

COUNCILMAN TOWELL MOVED THAT THIS MATTER BE REFERRED TO THE STANDING COMMITTEE ON THE BOARD OF PUBLIC WORKS. Councilman Ackerman seconded the motion.

Councilman Mizell said that he hoped the committee would entertain information from the engineering and planning offices and the traffic commission. Councilwoman Zietlow asked that the committee report back to the Council at the next Council meeting on September 21.

The question was called.
THE MOTION WAS CARRIED BY A UNANIMOUS VOICE VOTE.

Danny Fulton, Director of Redevelopment, addressed the Council. He said that since the meeting at which the consultant briefed the Council on the RDP program, the redevelopment department has attempted to get the plans and the word out to the Miller Drive residents as to what would happen the first year and what might be expected as far as the NDP program was concerned. He said that at this time they have talked to at least 90 to 95% of the property owners and residents in the Miller Drive Area. He said that after discussions with these people they are still very optimistic about their acceptance of the program. He said they have been in contact with several out of town property owners. He said they have been in contact with several out of town property owners. On September 6 the Redevelopment Commission met and established the procedures for voting; at that meeting there was input from the Miller Drive Neighborhood Association and the Miller Drive Freedom Association. He said that the procedures had been presented to both associations by the redevelopment attorneys by Monday, September 4, which they felt was ample time for people to have made input and for participation in the September 6 meeting of the Commission. He said that at that meeting about 45 minutes was devoted to discussion of the procedures and many points were conceded and points were changed to accommodate different philosophies.

REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

Danny Fulton,
Director of
Redevelopment

Mr. Fulton said the voting will be by secret ballot, at the Miller Drive Site Office at 1732 South Olive Street, which will be open from 6 am to 8pm. He said that there will be a "one man, one vote" rule with each residence and property in the area being entitled to two votes - "a man and his wife" or

the two oldest members of the household. He said that the churches and corporations that have more than one property are still only allowed two votes. The Commission feels this is an equitable way of giving everyone a chance to vote and of making sure that the community has a chance to say what they want to happen.

Mr. Fulton stressed that the voting procedures adopted will be used in the Miller Drive vote and in all votes for all areas of the City, relating to the NDP programs.

In response to a question from Councilman Towell, Mr. Fulton said that they have tried to follow standard voting procedures that people are familiar with and they have set 18 as the age limit for voting.

He said they will have poll watchers - the League of Women Voters has volunteered to assist in this, as a neutral body to be the registration officials and to make sure that if there are complaints, the League will handle them. He said they have tried to keep it as a natural voting procedure so that people will not be afraid to vote.

Councilman Towell asked how the question is put on the ballot. Mr. Fulton said that the ballot shows a map of the Miller Drive area, with the first action year circled. He said there are about 6 or 7 statements on the ballot indicating what is to be done the first year and what the plans entail the first year, such as that only three homes will be bought because of construction of the street and these people have been contacted and are willing to sell; that no homes will be bought in the area unless the owner asks that it be bought or if they find they would rather relocate than rehabilitate; that no homes or properties will be taken just because of water and sewer lines the first year. He said there are about 6 of these statements and facts presented and then, yes or no, do you approve of the first year plans for the Miller Drive Neighborhood area. Under that he said there is a choice in terms of plans that have been shown to the residents: 3 different widths as far as residential streets are concerned and 2 widths as far as the collector streets (Miller Drive and Maxwell) are concerned; then he said there is a place for showing a preference as to whether they want parking on the streets at all, parking on one side or parking on both sides. He said these questions are to give them an indication of preferences for planning purposes; the yes and no vote is the main question on the ballot.

Councilman Towell asked whether the ballot could be understood by someone who had not read the newspapers or been to the site officeto see the plans. Mr. Fulton said that if someone has had any information at all about the NDP program, the ballot would be understood. He said the League of Women Voters discussed this point and they will ask each voter, before he votes, whether he understands what the vote is on. He said they have mailed, to everyone they have addresses for in the Miller Drive area, a very clear description of the voting procedures that were adopted as well as a sample ballot on the back of the newsletter. He said these were sent out last night (9/6) and the letters to property owners out of town, went out by registered mail this morning (9/7).

Councilman Towell said he has read in the newspaper where people have been threatened with eviction if they come out and vote. Mr. Fulton said that the procedures do take this into account and people can vote from their homes if they wish. He said there will be a phone number people can call if they do not want to go to the site office to vote; a representative of a neutral group (the League of Women Voters) and a representative of the MDNA and the MDFA will go to the house and deliver the ballot. The person will then vote and the sealed ballot will be brought back to the ballot box.

He said they have found a lot of people in the neighborhood are not sure which way to go and they are tired of people knocking on their doors to explain the different sides of the issue, and they don't want to get involved in a public way. If they do vote, they

want to do it privately.

In response to a question from Councilman Ackerman, Mr. Fulton said that the League was in the process of developing their own procedures, within the context of the Redevelopment Commission's procedures, and they had not yet decided on the phone number to be used. He said that the number would be publicized as soon as it is decided on.

In response to a question from Councilman Towell, Mr. Fulton said that in the case of a household with 3 adult members or a Church, it will be up to the individuals concerned to determine who will vote for the residence or property in question. He said the basic point was one man, one vote; if someone owns 6 properties, he is still only entitled to one vote for himself and one for his wife, on one piece of property, not on the six.

Councilman Towell said that he thought that any resident of the area who was of voting age should be eligible to vote. He said he felt that living in the area was a very important part of being concerned about the neighborhood. Mr. Fulton said that the Redevelopment Commission tried to arrive at a compromise to cover the various combinations of residency and property ownership that were likely to arise; he noted that people buying on contract rather than the legal deed holder would be able to vote.

In response to a question from Councilman Ackerman, Mr. Fulton said that he thought that 100% of the people in the first year area had been talked to and 90 to 95% of the people in the entire neighborhood. He said that everyone they talked to received a narrative of the plan as far as the first action year is concerned and what the general theme of the plans are.

Councilman Ackerman said he thought the redevelopment office should be highly commended for the job they've done in the last two months. He said he thought there had been a lot of tension when the process of having the vote was worked out in July. He thought the process of giving out information had been done under very trying circumstances and that the discussions in July set up a fairly cumbersome procedure for giving out the information. He said the redevelopment staff has worked very hard and he said it was appreciated very much.

Councilman De St. Croix said, as a resident of the area, that his neighbors, irrespective of which side of the issue they are on, say now that at least the information flow is a lot better than it was before. He said he thought the redevelopment department should be given praise for this work.

Jim Wray, Director of Transportation, addressed the Council on TOPICS. He said the TOPICS project is moving ahead at a favorable pace. He said the Third Street project, which is five-laning from High Street to the bypass, to match up with the state's project east of that intersection, was advertised on September 5 for a letting date of September 26, which means that a contract could be awarded as early as the 28th and work should begin then about the middle of October, and be completed this year. The project also includes four-laning college mall road to the north entrance of college mall shopping center and a third lane to the entrance of Bisner-Osco Drugs and resurfacing to second street. He said that with more construction down there he is hopeful that it will be possible to three- or four-lane college mall road down to some new apartments or to Curry Buick-Cadillac drive.

Jim Wray
Transportation
Director

TOPICS

He said the biggest problem may be the weather at this time of year but he has been assured by some contractors that if the contract is awarded by September 28 and the work orders are sent out promptly by the state, it can be completed by the end of the year. He said the State handles all advertising and all bidding.

Mr. Wray said 17th Street and the Woodlawn area railroad crossing are in the engineering stage. He said they have held these up so they can coordinate the City's third street work with what the state is doing now. He said that 17th Street should be ready in the early spring.

Mr. Wray added that they may do some work on North Dunn Street; it has been mentioned several times as needing work. He said money is there that could be spent on it but he has to keep checking the priorities.

Mr. Wray said there was an on site inspection for Third Street last week and a few changes in terminology and overhead street signs were requested by the state; these should be ready by next Tuesday (9/12). The plans are available for the public to look at.

In response to a question from Councilman Towell, Mr. Wray said that Kinser Pike should be completed by October 1.

In response to a question from Councilwoman Zietlow, Mr. Wray said that about 6 or 8 trees will have to come down on Third Street and then new ones will be planted. He said the place that will be hit hardest will be around the fire station.

In response to a question from Councilman Ackerman, Mr. Wray said he would like to have some less technical plans drawn up to give to the newspapers for publication.

In response to a question from Councilwoman Zietlow, Mr. Wray said that Third Street will be a little wider and that it will all be taken off the north side of the street; the sidewalk on the south side of the street will be kept and will be completed through to College Mall Road; there will be five 11-foot traffic lights. Mr. Wray said that Third Street will go from 5 to 2 lanes and that it will be a very short taper. He said the City needs a major thoroughfare plan. He said it is pretty certain that Third Street will have to be a main east-west thoroughfare because it is the only street that runs all the way across town, but some traffic could be handled by Atwater part of the way - a thoroughfare plan would have to determine this.

In response to a question from Councilman Towell, Mr. Wray said that he was assured that the situation with the traffic light at Third and College Mall Road will be improved.

In response to a question from Councilwoman Zietlow, Mr. Wray said that right now there is not the traffic count needed to justify a signal at the intersection of High and Bryan and Third. He said that this situation is still up in the air. He said that hopefully the signal would stay but that some change would have to be made.

In response to a question from Councilman Ackerman, Mr. Wray said that as of December 31, the City will cease operation of its bus system. He said there are plans for a technical study and a capital grant application and funding, during 1973 with a target date of 1974, to start up a federally subsidized bus system. He said preliminary thinking is in the neighborhood of 10 buses running through routes to the center of town, not terminating downtown. He said this was one of the reasons for the recent trip to Washington and he expected that there might be more trips before the program gets going.

Mr. Wray said there are a couple of other alternatives that could give some bus service - revenue sharing which looks like around \$400,000 for the City and the possible release of some highway trust funds which has been proposed by Birch Bayh for the purchase of hardware for mass transit programs, and construction of bus lanes, and bus stops.

Mr. Wray reported to the Council on the Fleet Maintenance, which is one of the FLEET MAINTENANCE departments in the Transportation Department. He said they maintain all the City vehicles; fire department has their own mechanic now but some of their work is still done by Fleet Maintenance. Fleet Maintenance

sells gas, maintains vehicles, buys the parts. There is a charge of \$6.00 per hour for the labor. Mr. Wray said that when there is a gas war in town, their gas is a little more expensive but it is still reasonable, about 38¢ a gallon for premium. They also draw up specifications for vehicles for various departments.

Mr. Wray said he thought the biggest advantage was that you could bring a car in and get immediate attention, which is essential for police cars. He said that this morning there were four police cars broken down at the same time and they were able to give them much quicker service than if they had had to take them to a private garage in town. He said that everything else is put aside for police and fire vehicles.

He said labor is about \$10.00 per hour in town. Mr. Wray said he thinks Fleet Maintenance is less expensive and provides better service than if the City were to have to use private garages.

In response to a question from Councilman Mizell, Bill Workman, Chief Mechanic, said that they service about 25 pieces of equipment per day, on average.

Mr. Workman said there is a staff of 8 mechanics; he said that the City has about 300 pieces of equipment (equipment and cars) that they work on, with a total value of about one million dollars.

In response to a question from Councilman Behen, Mr. Workman said that having to maintain the trash collection vehicles should not prove to be a hardship on them since the first year they will be new and it should be primarily preventative maintenance.

In response to a question from Councilman Fix, Mr. Workman said that they could, to some extent, estimate what the maintenance cost will be for the next budget year. He said that the unpredictability of wrecks, hitting curbs, etc., made it difficult to estimate. He said that a car that is 5 or 6 years old was difficult to predicate from a maintenance standpoint.

In response to a question from Councilman Towell, Mr. Workman said that he did not find it strange that some departments would estimate the cost of maintaining a car for a year at \$400 and others would estimate a cost of \$1200. He said that it depends on use of each vehicle; he noted that if a car hits a curb, that means about \$100 in repair.

In response to a question from Councilman Mizell, Mr. Workman said that they have just this year begun to keep records on every vehicle the City owns. He said that there were very few records kept previously. He said that in most cases he could, at the budget hearings next year, come up with some estimates of what the costs for maintaining various city vehicles would be over the next budget year, based on the records they have started keeping this year. But he said the abuse factor controls it all and this is not predictable.

In response to a question from Councilman Ackerman, Mr. Workman said that gas is bid each year.

Chief Gose reported to the Council that he is hoping to get two ambulances and a light rescue truck. He said he took the papers to Indianapolis for signatures this morning (9/7) and he hopes to get them back, approved, by next week. He said they will have everything they will need in emergency rescue: emergency childbirth kits, resuscitators. He said the police will maintain one station wagon as a back up ambulance. And starting next week, one fireman will begin riding in the ambulances with the policeman so they can begin to see what will be involved. He said so far he has 14 volunteers from among the firemen so that they will be able to staff the rescue equipment with people who want to work on it.

Fire Chief
Richard Gose

In response to a question from Councilman Mizell, Chief Gose said that he is in the process of setting up

a formal training program for the firemen with Indiana University. He said that Jim Palmer, from the Criminal Justice Planning Agency, is working on setting up an 21 hour course here in Bloomington. Chief Gose said that if they can set the program up here, the men can stay in Bloomington and attend training sessions two days a week instead of having to travel out of town. He said the men will be trained before they actually go out in the ambulances the first of the year.

Councilman Behen asked what was being done about arranging to administer a charge for ambulance services. He expressed concern that this be worked out before before the first of the year and a determination made as to which department should administer the charge and what forms would be required. Chief Gose said that he and the Mayor have discussed this and the Mayor is in the process of determining how much the charge should be and who will do the billing.

Mayor McCloskey said that his general feeling is that probably very likely there should be a charge of \$5 or \$10, primarily to deter use as a taxicab, a problem the police department has run into so often, and it would help somewhat to fund the service. The Mayor said that he did not think the charge should be what it would cost the City. He said he thought that 70-75% of the residents of the city have hospitalization policies that do pay for ambulance service, so that a charge would not be creating a hardship for them. He said this needs to be discussed by the Controller, the Council, the Board of Public Safety and the Mayor's office.

Councilman Behen said that as he understood, an ambulance charge is usually around \$25, so that a \$5 charge sounded low to him.

Chief Gose said that the ambulances will be hooked up with four frequency radios to the sheriff, the police department, the fire department and the Bloomington hospital.

Councilman De St. Croix said that there are several municipalities in the state which have a system of voluntary contributions for the ambulance service. He suggested that this might be looked into.

Chief Gose said that he is going to Evansville next week to talk with them about how their ambulance is working out of the fire department, what they charge, etc.

George Walkenshaw, Director of Utilities, addressed the Council. He said that his department is currently engaged in relocating a water line on Third Street and they can't shut the water off until after midnight so they will probably be on the project all evening. He said he wanted to address the Council at this time, on the Salary Ordinance for the utilities department that would be coming up later in the meeting, so he could get out to the project site. Mr. Walkenshaw said that the Council has approved the laboratory director and treatment engineer positions for next year and he would like to hire these people now. He said that he does have money to pay these people for the rest of the year. He said these are new job titles and upgraded positions; the treatment engineer position was previously held by a resident engineer from Black and Veatch; previously there was a chief chemist and he hopes that he can hire a Ph.D. in chemistry to head up the laboratory section.

George Walkenshaw
Director of Utilities

Councilman Misell reported on the PUD hearing held 2/6, since Mr. Crossman was attending a neighborhood meeting. He said that the public hearing was held in the Council Chamber the previous evening on the PUD ordinance that will be an amendment to the existing ordinance

OFFICIALS BOARD AND COMMISSIONS
Plan Commission
PUD HEARING

until the Council can react to the proposed zoning ordinance which will be in shortly. He said he thought it was a good meeting a lot of excellent, constructive suggestions were made. He said the only thing that concerned the Plan Commission was that there were no representatives of the home builders association or the land developers in general, or contractors. He said many interested citizens attended the meeting. Councilman Mizell said that suggestions will be taken from the tape of the meeting and reviewed in a work session scheduled for Monday, September 11, in the evening; there will then be another public hearing to review how the Plan Commission responded to the suggestions. He said the Plan Commission has also scheduled work sessions for the future to review the ordinance and the land use map - to get this ready for public hearings as early as possible, hopefully sometime this month or early next month. The timing will depend on how the plan department is able to prepare the final draft of that ordinance. He said they are also currently getting changes in the land use maps. He said they are currently operating off of 217 maps which would be cumbersome to work with at a public hearing so they are having the maps redrawn to get the entire city on 16 maps. These maps are being done in Indianapolis right now and hopefully will be ready next week. He said that he thought they would also hold pre-public hearing meetings to get comments from the public before going to the legal public hearing, so that people will have a chance to review the land use maps, review the ordinance and come up with suggestions which can be reacted to before the public hearing and final reading. He said the Plan Commission has not yet reacted to the far southwest section of the City; the Plan Commission was waiting for the soil study reports which have just now become available.

NONE

REPORTS FROM
STANDING COMMITTEES

NONE

REPORTS FROM SPECIAL
COMMITTEES

Councilman Behen urged that something be done about enforcing the sections of the Municipal Code dealing with bicyclists. He said he was concerned about the safety of the bicyclists and of the motorists. He also urged enforcement of regulations concerning garbage and trash cans; he said that many are left sitting on the sidewalk all week long. Councilman Behen also spoke for enforcement of regulations concerning garage and porch sales. He said that he is not against garage and porch sales, per se, but when they go on for four and five months in residential areas they are in pure and simple violation of city ordinances. He said that in many cases the porches and garages are being turned into used furniture, used appliance and antique shops.

MESSAGES FROM COUNCILMEN

Richard Behen

Councilman Behen said that he hoped that the people responsible for enforcing these violations would take the proper action. He said that if these violators are not acted on he would try to get the Council to take formal action of whatever sort needed to see that the ordinances are enforced. He said these violations are a detriment to the community.

Grace Johnson, City Clerk, said that this past week, 75 to 80 bicyclists have been cited for moving violations on a bicycle. She said that bicyclists are to abide by the same rules of the road that apply to motor vehicles. She said the City police and I.U. safety have been issuing tickets. She said Judge Andrews has indicated that he will give the cyclists somewhat of a break for a few weeks until they get used to the idea of being ticketed. For the last few weeks they have been paying only \$5 to \$10 but they will shortly begin to pay the full amount of \$29 for a moving violation.

Councilman Behen said that he was not hoping that the City would raise revenue this way; he is concerned that a cyclist might be killed.

Councilman De St. Croix announced that the Manpower and Employment Task Force will meet September 12, 1972, at 7:30 p.m. in the planning conference room. This is the second work session at which the Task Force will be considering new priorities and programs that will come out of the preliminary report. He said they welcomed suggestions from anyone in the community.

Brian De St. Croix

Councilman Mizell said that at the Tuesday meeting of the Plan Commission, at the request of the legal staff, the Plan Commission passed a resolution requesting the legal staff to file suit in the case of a zoning violation on East Third Street. He said he noticed in the evening paper (9/7) that the Legal staff has now decided not to file the suit. He said he would like to hear some of the reasons leading up to the decision.

Sherwin Mizell

Mr. Register said that he had not received any communication, nor has the legal department from the Plan Commission, as to what the resolution stated. Mr. Register said that all he knows is what he read in the paper and he would be happy to hear from the Plan Commission.

Mr. Register said that in the opinion he sent to the Mayor for reference to the Plan Commission there was a specific request by the legal department that if a resolution was passed by the Plan Commission that the legal department be furnished a copy. He said he did not have a copy of such a resolution.

Councilman Mizell said that he would be glad to check with Mr. Tarlock and see that Mr. Register does get a copy of that resolution. Mr. Register said he would like to read it.

Councilman Ackerman said that he did think that enough was being done by merchants in the area of Third and the bypass, with some notable exceptions (such as Arbys and MacDonaldis) to beautify the shopping areas. He said that one particular eyesore is the K-mart area and there are others. He asked whether agreements had been made by the City and the various merchants (such as K-mart or the Volkswagen dealer) and whether the City could take action in this matter.

James Ackerman

Mr. Register said that searches have been made through the various city departments and no agreements have been found that would tangibly bind the merchants to beautify the areas with trees, etc. He said that in his opinion, the City could not file suit against these people unless such tangible agreements could be found.

Councilwoman Zietlow said that the Environmental Commission has been working on the College Mall and has found a commitment in a deed that there be a five-foot tree plot along one side. She said that the Environmental Commission is meeting next week to discuss section 12.24060 of the Municipal Code which reads as follows: The Board of Public Works shall have the right, power and authority to require the owners of parcels of land bordering on any public street of the City to grade, sod, plant, and maintain in proper condition the tree and lawn area and the street corners in front of such parcels of land and to require such owners to plant and maintain shade or ornamental trees in such area.

She said the Environmental Commission asked her to bring this up and get some feeling of the Council and the Corporate Counsel about how to proceed. She said the Commission would like, if the Council feels it appropriate, some sort of resolution that the Board of Public Works pursue this matter.

Councilman De St. Croix said that he thought that, particularly in the Mall area, whether or not there are written agreements

or contractual agreements, there is a clear case of an action of bad faith by several parties out there. He said he thought the City should pursue enforcement of that particular ordinance. Councilman De St. Croix said he thought the Council should institute an "ouion" award (to borrow from the Herald-Telephone) for bad citizenship for cases such as this, and hold a press conference on the site and state the particulars to the community. He said that if the party involved wishes to also discuss the matter at that time, that is fine.

Councilwoman Zietlow asked about regulations regarding open burning of trash. Chief Gose said that they are allowing people to burn trash in 50 gallon drums with a spark screen over the top. He said these must be at least 15 feet from any buildings. He said the fire department will go put out any badly smoking fires, if someone complains. Charlotte Zietlow

Councilman Towell said that he wanted to apologize to Bill Wilson, Director of Parks and Recreation, for any misunderstanding about his comments at the previous meeting. Councilman Towell said that when he said the Council had been "mislead" he did not intend to attribut any bad motive to anyone; part of the fact of being mislead he said was due to the ignorance of the Council. Alfred Towell

Councilpresident Zietlow reiterated the agenda deadline of 5 p.m. on the Tuesday prior to each Council meeting. She also said that all pieces of legislation introduced for action by the Council should be sponsored by one of the members of the Council. Councilman Towell said that citizens wishing such sponsorship should feel free to contact him if they can find no one else to sponsor their legislative proposals. He said that he felt everyone should have the chance to be heard before the Council. Charlotte Zietlow

Councilman Morrison moved that Resolution no. 72-48 be introduced and read by the Clerk. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote. Grace Johnson read Resolution No. 72-48. RESOLUTIONS

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

Councilman Behen, speaking in favor of his resolution, said that the building inspectors did not feel that they would get the support of the Council to enforce all parts of the housing ordinances and that this resolution would give them the support they need.

Councilman De St. Croix spoke in support of the resolution, saying it would show the Council's commitment to code enforcement.

The question was called.

THE MOTION TO ADOPT RESOLUTION no. 72-48 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

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

72-52

TRANSFER OF FUNDS

Grace Johnson read Resolution No. 72-52.

Councilman Morrison moved that Resolution No. 72-52 be adopted. Councilman De St. Croix seconded the motion.

Police Chief Chambers explained that the parking meter fund was depleted for this year, requiring the fund transfers. He said this will not have to be done next year if the parking meter revenue is what they have anticipated it will be.

In response to a question from Councilman Morrison, Chief Chambers said they have been moving along, getting the junk car hauling program started, having forms made up, etc.

The question was called.

THE MOTION TO ADOPT RESOLUTION No. 72-52 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

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

72-53

Project Commitment

Councilman Davis moved that Resolution No. 72-53 be adopted. Councilman De St. Croix seconded the motion.

Bill Harris, Indiana University history professor and co-chairman of the project addressed the Council. He said the project will conduct five combination panel and group discussion sessions on the five Monday evenings in October. The purpose of the meetings will be to discuss problems of prejudice and discrimination in Bloomington, to bring about more awareness of these problems. He said they are hoping to get a wide range of participants from all parts of the community. Registration forms may be obtained by calling 339-0196.

The question was called.

THE MOTION TO ADOPT RESOLUTION No. 72-53 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

Councilman Morrison moved that Ordinance No. 72-60 be advanced to the second reading and read by the Clerk by title only. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

ORDINANCES - SECOND READING

72-60

Salary Ordinance

Grace Johnson read Ord. 72-60 by title only. Councilman Morrison moved that Ordinance No. 72-60 be adopted. Councilman De St. Croix seconded the motion.

Councilman Morrison said that he would like to see a complete rundown of the positions and titles for the utilities department! Councilwoman Zietlow said that Mr. Walkenshaw would be presenting a report to the Council on the Utilities Department and she would ask him to include this information.

The question was called.
 THE MOTION TO ADOPT ORDINANCE No. 72-60
 WAS APPROVED BY A ROLL CALL VOTE OF
 Ayes 9, Nays 0.

Councilman De St. Croix moved that
 Appropriations Ordinance No. 72-6
 be advanced to second reading and read
 by the Clerk. The motion was seconded
 by Councilman Morrison and carried by
 a unanimous voice vote.

Appropriations
 Ordinance No. 72-6

Grace Johnson read Appropriations
 Ordinance no. 72-6.

Councilman De St. Croix moved that
 Appropriations Ordinance No. 72-6 be adopted.
 Councilman Morrison seconded the motion.

Fire Chief Gose explained that the Fire Department
 Appropriation is the City's half of the matching
 funds for the ambulances to be purchased for next
 year.

Mrs. Sims, City Controller, explained that these are
 unappropriated funds from the City's general fund.

Bill Wilson, Director of Parks and Recreation,
 explained that appropriation for that department
 was to pay for personal services performed for
 the department over the summer.

The question was called.

APPROPRIATIONS ORDINANCE No. 72-6 WAS ADOPTED
 BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

Councilman De St. Croix moved that
 Ordinance No. 72-61 be advanced to second
 reading and read by the Clerk by Title only.
 The motion was seconded by councilman Morrison
 and carried by a unanimous voice vote.

Ordinance No. 72-61

Grace Johnson read Ordinance No. 72-61 by
 title only.

Councilman De St. Croix moved that Ordinance
 No. 72-61 be adopted. Councilman Towell seconded
 the motion.

Councilman De St. Croix moved that Ordinance No.
 72-61 be amended according to the amended legal
 description presented by the City Attorney. Councilman
 Towell seconded the motion.

Grace Johnson read the proposed amendment.
 THE MOTION TO AMEND WAS CARRIED BY A UNANIMOUS VOICE VOTE.
 Councilman De St. Croix moved that Ordinance
 No. 72-61, as amended, be adopted. Councilman
 Towell seconded the motion.

Mr. Register explained that this is a voluntary
 annexation of the area commonly known as the Carl
 Rogers farm, on the southeast side between
 High Street and Sare Road.

The question was called.

THE MOTION TO ADOPT THE AMENDED ORDINANCE No. 72-61
 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-62 be introduced and read by the Clerk by title only and posted for two weeks as required by law. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

INTRODUCTION OF
GENERAL AND SPECIAL
ORDINANCES

72-62 (Broadview)

Grace Johnson read Ordinance No. 72-62 by title only.

Councilman De St. Croix moved that Ordinance No. 72-63 be introduced and read by the Clerk. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

72-63 (animal control)

Grace Johnson read Ordinance No. 72-63.


Councilman Ackerman moved that Ordinance No. 72-63 be referred to the Animal Control Commission for discussion by the Commission, with the Commission to report back to the Council by the next regular Council meeting on September 21. Councilman De St. Croix seconded the motion. THE MOTION TO REFER TO THE ANIMAL CONTROL COMMISSION WAS CARRIED BY A UNANIMOUS VOICE VOTE.

Councilman Ackerman suggested that all purchase orders be stamped to the effect that all bills must be submitted within 90 days and by the end of the fiscal year. Martha Sims said she would have a stamp made. THE COUNCIL CONCURRED IN THIS SUGGESTION.

OTHER BUSINESS

The Council Adjourned at 10:02 p.m., E.S.T. ADJOURNMENT

ATTEST:


Amy G. Mann, Secretary


Charlotte T. Zietlow, President

RESOLUTION No. 72-48

A RESOLUTION TO SEEK MORE EFFECTIVE MAINTENANCE AND IMPROVEMENT PROGRAMS FOR DWELLING AND OTHER STRUCTURES WITHIN THE CITY OF BLOOMINGTON AND TO SEEK EFFECTIVE ENFORCEMENT OF ORDINANCES AND STATUTES PERTAINING THERETO FOR THE BENEFIT, WELFARE AND GENERAL SAFETY OF ALL CITIZENS:

(1) WHEREAS, there are now in full force and effect ordinances and statutes regulating the construction, maintenance, occupancy and use of structures within the City of Bloomington; and,

(2) WHEREAS, over a period of time many of these structures have come into a condition which endangers the health, welfare, and safety of citizens; and,

(3) WHEREAS, the ordinances and statutes provide for an orderly and effective program for the protection of the public with regard to such unsafe buildings and structures; and

(4) WHEREAS, the Common Council of the City of Bloomington deems it necessary to publicly seek citizen cooperation in improving all structures and buildings, some of which heretofore are in violation of the ordinances and statutes, and further respectfully seeks of the city building inspectors, City Attorney, and Boards of Public Works and Safety to effectively pursue violations of these statutes and ordinances as affecting the public welfare, health and safety of citizens.

NOW, THEREFORE, upon motion duly made and seconded, be it,

RESOLVED, that the Common Council of the City of Bloomington fully and completely supports the efforts of city officials in their program to ensure that all buildings and structures within the City of Bloomington are in such a condition as to protect the public safety, health and welfare of all citizens, and the Common Council of the City of Bloomington does further resolve that it respectfully requests that city building inspectors, the City Attorney and the Boards of Public Works and Safety actively seek the enforcement of all ordinances and statutes which have heretofore been enacted for the protection of citizens with regard to unsafe buildings and structures.

Charlotte T. Zietlow
Charlotte T. Zietlow, President
Common Council

ATTEST:

Grace E. Johnson
Grace Johnson, City Clerk

ADOPTED: 9/7/72

RESOLUTION No. 72- 52

September 7, 1972

BUDGET TRANSFERS

BE IT HEREBY RESOLVED by the Common Council of the City of
Bloomington, Indiana, that the City Controller of said City will
adjust the appropriations of the following budgets, to-wit:

DRUG COMMISSION

FROM # 11	Salaries & Wages, Regular	\$ 350.00
# 13	Salaries & Wages, Temporary	1,500.00
TO # 26	Other Contractual Services	\$1,850.00

FIRE DEPARTMENT

FROM # 32	Garage & Motor	\$ 300.00
TO # 37	Other Supplies	\$ 300.00

POLICE DEPARTMENT

FROM #111		\$18,000.00
TO #214		\$ 1,500.00
#252		10,000.00
#324		6,000.00
#363		500.00

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

APPROVED:

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

ADOPTED Sept 7, 1972
Date

RESOLUTION 72-53

WHEREAS Project Commitment is a statewide effort, organized by the Indiana Interreligious Commission on Human Equality, spearheaded by the churches and synagogues and supported by other community organizations, to act constructively on the problems created by racial prejudice and discrimination

and WHEREAS Project Commitment of Bloomington has been developed by a large number of religious and community agencies for the five Tuesday evenings in October

and WHEREAS the purpose is 1) To present the various aspects of prejudice and discrimination in the Bloomington community. 2) To improve communication between individuals and groups concerned with prejudice and discrimination. 3) To bring about a better understanding of the needs of the Bloomington area and encourage involvement within community agencies or groups that are attempting to deal with these problems

BE IT RESOLVED that the Common Council of the City of Bloomington endorses Project Commitment of Bloomington and urges citizens to participate in the scheduled events.

Charlotte T. Zietlow
Charlotte T. Zietlow, President

Common Council, City of Bloomington

Francis X. McCloskey
Francis X. McCloskey, Mayor

City of Bloomington

adopted

Sept 7, 1972