

In the Council Chambers of the Municipal Building, at 7:05 p.m., E.S.T., on Thursday, October 5, 1972, with Council President Charlotte Zietlow presiding.

REGULAR MEETING
COUNCIL
CITY OF BLOOMINGTON, INDIANA

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

ROLL CALL

Absent: James Ackerman was out of town.

Mayor Francis X. McCloskey;
James Register, Corporate Counsel; Larry Owens, City Attorney; Martha Sims, Controller; Tom Crossman, Planning Director; Grace Johnson, City Clerk; Marvard Clark, Assistant City Engineer; Danny Fulton, Redevelopment Director; Tim Hodenfield, Aide to the Board of Public Works; Ted Najam, Assistant to the Mayor.

CITY OFFICIALS PRESENT

About 40 people including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the minutes of the Council meeting of September 21, 1972 be approved as submitted. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

MINUTES (9-21-72)

Mayor McCloskey addressed the Council. "As is well known both by the Council and by the public at large, I have, over the last several weeks urged the sale of property at Kirkwood and Dunn. So I am here tonight basically to throw one last pitch for passage of Resolution 72-59. To recap briefly, we have received two firm offers on the property which expire at noon tomorrow. I would heartily urge that whatever is done tonight, that we do come to a resolution that would in effect promote the sale of at least one of the alternatives. The offer that I would like to see accepted would be for the front parcel bordering on Kirkwood and Dunn at \$115,000. The gentlemen involved in this local partnership have offered \$215,000 for the entire parcel. What I would like to recommend is the sale of the front parcel and holding on to the parcel bordering on Dunn and Fourth Street, in the short run at least to provide off-street parking and in the long run perhaps we can consider some sort of additional or other disposition for that property. It has been pointed out by Tom Crossman that if we do go into a mall or limited mall operation along the Kirkwood area that the off-street parking would definitely be needed and would be an asset. And perhaps it should also be pointed out that he also thinks it is a need for that area whether

MESSAGE FROM THE MAYOR

-2-

to go into a mall or not. If there are later developments, if we have other considerations to promote later we can surely consider sale or other development of the property. I would like to say that while I am not in the business of promoting any particular real estate venture or proposal it would appear from all soundings that it would be very attractive addition to the areas; it is a multi-storey shopping operation; I guess it would be various craft shops and professional offices and so forth. I think the construction price that they are bandying about is something like \$400,000; so I think it would be a major increment on the tax rolls. I would also note that if we do go into an off-street parking operation very soon I have received some unofficial off-the-cuff estimates today that with the City doing the work, it would cost perhaps \$5,000 to pave the lot there. We do have meter heads so that we could convert to an off-street parking operation at a minimal cost to the city. Also it should be pointed out that anything we do tonight will not be final and that both these written offers, if one or the other is accepted tonight, are subject to financing, zoning, building permits and the final go ahead for the property. It looks like a very worthwhile project. Thank you."

Kevin Craig asked the Mayor why he would suggest the sale of this property at this particular time, bearing in mind the cost that was paid for it, and that selling it would mean taking a loss at this time.

Mayor McCloskey said that he thought it has been stated quite often that the loss on that property was taken during the previous administration when these arrangements were made. The best real estate intelligence that we have, which is rather widespread in the community is that, in no way, in the foreseeable future, will the City ever garner the \$365,000 plus that was expended on that property. I would like to get it on the tax rolls; I would like to see it be a piece of property that would generate what the economists call "positive spillovers". I think it will be just a good thing for the community versus the present use. It could be that sooner or later a better offer would come in but we have advertised semi-nationally now; we've promoted it locally. This is the only real firm offer that we have received. Who knows what could happen next week, but I think it is the time to decide on this.

Kevin Craig asked if the City has pursued plans or checked into any possibility of using the property for a civic purpose.

Mayor McCloskey said that his recommendation is that, in the overall light of community needs, the tax base and so forth, that we do put it on the private market, so to speak; that we are concerned about civic buildings and civic purposes. We will be gradually developing other programs, for example, a downtown redevelopment, hopefully a city county building. My feeling is at this time that

the best use of that property would be in the private sphere. There has been extensive discussion of this by a committee appointed by the Council and there was no strong recommendation one way or the other as to use coming out of that committee.

Councilman Davis said that there was no clear use of that property by the City that was obvious to the Committee; there was no clear recommendation. The consensus seemed to be that the property should be sold if a proper sale could be made of the property. There was no generally suggested use. The committee did talk about the use of the property for the original plans, which was for a high-rise for the elderly. There were some members of the committee who felt that it would be a good use of the property but to do that would mean that the City would have to give the property to some organization, namely, the Downtown Churches in this instance, in return for the building at the end of 40 years. The consensus of the committee seemed to be that they did not want to do this. As a site for a city-county building it is not a particularly desirable site. Beyond that, some commercial use of the property was the best use envisioned. There was some pressure to turn it into a high-rise parking garage but there was great resistance to that also.

Council President Zietlow said that the Council will be considering a resolution on the sale of the property later in the meeting and that would be the time for further discussion.

Mayor McCloskey said that Tom Crossman was at the meeting to talk about general possibilities for that property and that he himself would be in attendance to discuss various considerations: parking, the tax base, the benefits for the area, etc.

Councilman Mizell said that he had a few EXAMINATION OF CLAIMS questions regarding the claims paid September 22, 1972. He asked who Bean, Longis and Neff, who were paid from the Street General account, were. Mayor McCloskey said they are engineers and consultants who have been active in the joint projects which have been accomplished (and are talking about accomplishing) with the County. They are engineers who worked on the Kinser Pike project; they were originally selected by the County. As the City became involved in the project, the Mayor said, he decided to go along with the firm retained by the County. Mrs. Sims said that this claim was for the City's one-fourth share to match local road and street funds.

In response to another question from Councilman Mizell, Mrs. Sims said that the claim for "savings bonds" is the payroll deduction program that the City maintains for employees wanting to purchase savings bonds.

Councilman Morrison said that the sanitation department paid a bill of \$13,177.07 to Howard E. Young. He asked if this was in payment for the lift station on Smith Road. Mr. Hodenfield said that the the City now owns all of the lines and the lift station, with

the exception of the line owned by Daisy Garton, that the deal was completed four weeks ago. He said he would check to make absolutely certain which lines do belong to the City; Councilman Mizell said that he would appreciate having such a final report on the status of these lines.

Councilman Morrison said that he wanted to have the Council go back to the old way of approving claims. Controller, said that she thought the Council could approve the claims if it wished but that this would just be a matter of courtesy; the Board of Works has authority to give final approval to the payment of claims. Councilman Mizell said that he assumed that the Council could question claims that had been paid and that he was exercising this right by asking the questions he had.

Councilman Morrison said that the Council appropriates the money; the Board of Public Works has the authority to pay claims but that the Council should have a chance to ask questions about the claims.

COUNCILMAN TOWELL MOVED THAT ANY BUSINESS UNDER CONSIDERATION AT 10:00 p.m. BE THE LAST ITEM OF BUSINESS CONSIDERED BY THE COUNCIL. Councilman Morrison seconded the motion.

ADJOURNMENT MOTION

THE MOTION WAS CARRIED BY A VOICE VOTE IN FAVOR OF THE MOTION.

In reference to the discussion on examination of claims, Council President Zietlow said that she thought the Council has the right to question claims but not to act on them.

Councilman Morrison said that he was merely referring to the item on the agenda for examination of claims.

None.

PETITIONS AND COMMUNICATIONS

None.

REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

David Docauer, Water Quality Committee of the Environmental Commission, reported to the Council on Lake Monroe. His written report is appended to the minutes. He said that residential developments, of the size presently being planned around the Lake, are large enough, even with 90% phosphate removal to have a biological effect on the Lake. He said that this is the reason they have put out the statement and have asked the stream pollution control board to check and to stop the pouring of effluent from sewage plants into Lake Monroe. He said that apparently the Control Board has listened to the Commission and has turned down Inland Steel's proposal for development a few weeks ago.

REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS

Mr. Docauer said that the Committee is concerned that there be planning to

protect the Lake and that this planning is not now available. He said that various state and federal agencies each have their own say about the Lake and the main factor that is saving the Lake from over-development is the stream pollution control board but these men have to work on problems like this all over the state and they don't have the time to make a plan or to know exactly what Lake Monroe needs.

The Commission would like to have a group of local people that could determine what is needed for the Lake and that could plan for the Lake.

Mr. Docauer said that the main purpose of the Lake is flood control, and the second priorities are recreation and water source and wildlife management; residential development was not considered in the cost-benefit ratio when the Lake was built. The Committee feels that since the Lake was built with public funds and it is a public lake that residential development is not a high priority around the Lake and it should take a second place stance in relation to the other types of development around the Lake - recreational and other uses. He said the Committee does not want to see the Lake become a private pond; they would like to see it stay as a public recreation area, as a public water supply.

Mr. Docauer said that with planning, the City will have to go beyond the County and work with Brown County. He said that there are reasons other than water quality that development around the Lake should be limited there is a large recreational force using the Lake. He said there are already signs of recreational stress around the Lake and that residential development would multiply this stress; 1000 residential units would mean 4000 people, which with 365 days a year equals 1,400,000 visitor days, which can be subtracted from the capacity of the Lake. He said because of this the Water Quality committee has started working with the Land Use and other committees of the Environmental Commission to try to draw up some sort of preliminary rough plan for what should be done around the Lake, so that when, and if, we find a governmental agency willing to take the steps, we will have something to show them.

Mr. Docauer said that hopefully when the new Bloomington Sewage Treatment Plant is constructed there will be funds for a regional plant which will be near Harrodsburg; a pipe could be run up through the dam into the Lake, picking up development. Because of problems with length of pipe this would probably mean limitation to Fairfax and Moore's Creek areas. These areas have very little public land in them.

now; they are away from recreational areas; away from wildlife areas - in the part of the Lake which is more resistant to problems since it is deeper and closer to the outfall. We feel this would probably be our first indication that development would be shoved to that side of the Lake, and should be kept in that area, and that other parts of the lake should be kept for recreational development or no development at all.

Councilman Fix asked Mr. Docauer if he thought the establishment of some planning entity would give some assistance to the Nashville Treatment plant. Mr. Docauer said that the Nashville Treatment Plant is under order by the Stream Pollution Control Board to clean itself up; it has drawn up its plans for a new plant which apparently would a phosphate removal to 90%. He said it is just a matter of waiting 3 or 4 years until that plant is built.

Councilman Fix said he wondered if with some planning entity, it wouldn't be possible to ask, cooperatively for the planning of utility development also.

Mr. Docauer said that the ideal situation would be to have a planning entity for the whole watershed, which was concerned only with that watershed and would have the power to control development and sewage in that watershed. He noted that at present there are jurisdictional problems preventing the establishment of this kind of a body. He said that it is possible that with the new regional planning efforts, it might be possible to begin planning for the Lake as a whole but that unless an agency whose sole concern is Lake Monroe is created, the regional planning would spill over into other areas and not just the Lake. Mr. Docauer expressed the opinion that an agency whose only concern is the Lake would be ideal. He said there is also the problem that Monroe and Brown counties are in two different planning regions so that the regional planning route would require working through two different planning bodies.

In response to a question from Councilwoman Zietlow, Mr. Docauer said that the establishment of a Lake Monroe Watershed Planning Agency would probably require state legislation. He noted that the School of Public and Environmental Affairs is going to do a study on all the possibilities available for the Lake but that study will take two years.

In response to a question from Councilman De St. Croix, Mr. Hodenfield, Aide to the Board of Public Works, said that 90% of the water for the City comes from the Lake. Mr. Docauer said that Bloomington, through the various water corporations, serves all of Monroe and Brown Counties - about 100,000 people.

Councilman De St. Croix asked if anyone had investigated the legal recourse open to the residents of the City to ensure that their water supply is safe and adequate for the future. Mr. Docauer said that he thought the City, not individuals, has the legal right to take action on this. The City has the power, under state law, to take over the watershed, within 10 miles of the City, within the County. He said most of the Lake that is in the County is within that area, except for a small area which is owned

by the National Forest. He said Bloomington could exercise planning over this area, taking it away from the County, but there is still the area of the Lake in Brown and Jackson Counties, some of which is state and federal land.

Councilman Fix said that Lake Monroe is a problem where we tend to look back 25 or 30 years and question why action was not taken. He said he thought now is the time to do something to ensure that we will have a dependable and cheap water supply in the future. Mr. Docauer said the reservoir was projected to last for 100 to 150 years, but if we allow the water to become contaminated to the point where there are large alga blooms, it could be possible that we would not be able to use it within 5, 10, or 15 years, depending on the amount of nutrients that does come in. He said there are cases where water plants cannot operate because they are having to backflush their filters with more water than they can get through the filters to filter which means that they are losing water out of the water supply. He said he did not see this happening in Lake Monroe in the next year or two but situations that can increase cost of water supply and health problems might occur. (The more algae there are, the more can get through filters; some algae have protective coats that bacteria which are susceptible to chlorine can imbed themselves in.)

Mark Acres, reporter for the Herald-Telephone, asked if any of the Councilmen or members of the Water Quality Committee had explored Public Law 142 which states that County Commissioners of adjacent Counties, even if they are in separate planning regions, may create a joint planning commission to deal specifically and exclusively with natural resources. Mr. Acres said that according to Representative Ferguson said that bill was introduced primarily with Lake Monroe in mind, and that the jurisdiction of any body set up under that law would be exclusively for the Lake.

Councilwoman Zietlow said she thought the Interlocal Cooperation Act of 1957 would make it possible for any of the local units involved to meet together for mutual benefit. Councilman Fix said this would make it a single-purpose planning entity and he thought that that was what was needed.

Mr. Docauer said that he would look into these possibilities further.

Frank Thomas, Coordinator for the Environmental Commission, reported to the Council on the Noise pollution Study being conducted in Bloomington, by the Noise Abatement committee. The Committee wants to measure the sound, to find out how much sound is generated in the City; what sources of sound there are in the City. The Committee also wants to talk to representative homes or households in the City to find out how they feel about sound and whether they really think of it in terms of noise, how it disturbs them, etc. He said the committee is having students,

Noise Pollution Study

in two courses at the university, go out with sound level meters and measure the sound levels of the City. The meters are borrowed from the University; the Commission hopes to purchase its own meters next year for its study purposes; the meters would then be turned over to the City Police.

The students have been instructed to measure sound inside and out. They have been given letters of introduction from the Commission so they can go inside peoples homes to measure sound levels.

Mr. Thomas said that the Commission, in cooperation with the City Police Department has set up a program of having people call in their noise complaints. Most of the complaints called in have been due to parties, loud music, etc. Since June 1, they have received about 75 specific complaints. We said they plan to follow up on them by having students administer the questionnaire to each of these people who called in the complaints.

Mr. Thomas said they started out with a short, subjective questionnaire and have now gone to a longer, more objective one which seems to work better - people are more willing to answer it. They are administering 600 questionnaires; various blocks were selected around the City, in an effort to include the various activity areas in the City. Each student is given a specific block to cover, going to each house as far as the questionnaires go.

The committee felt that with 500 households, at 3 people per household, they would get responses from about 1800 people, which they felt was a good representative sample of the City. He said, in picking the blocks to cover, they were concerned about getting different kinds of areas in the City. He said the Committee wanted to identify the nature of sound in Bloomington and then move to identify areas that needed correction from a sound pollution perspective.

He pointed out the blocks being surveyed on a map; the blocks are scattered throughout the City. Mr. Thomas said one of the considerations was that since students would be doing most of the work, they had to limit themselves to areas that could easily be reached on foot.

Mr. Thomas said the complaints were clustered around the hospital area, West Sixth and Eighth Streets. In response to a question from Grace Johnson, City Clerk, Mr. Thomas said that two weeks ago he had done some preliminary measuring on South Walnut Street and found that it was pretty noisy. Mrs. Johnson said that she understands that the reason that the old court room is not used for the City Court is that it is too noisy due to the traffic on Walnut Street.

Mr. Kevin Craig asked why measuring is not being conducted inside factories. Mr. Thomas said that noise problems in factories are under federal jurisdiction; he understands that the EPA does have some inspectors, though of a limited number. He said they did not really want to go into factories since it is under federal jurisdiction. He said there is a question on the questionnaire concerning noise at work.

Mr. Thomas said that to the best of his knowledge,

Bloomington is the only city doing anything of this nature.

In response to a question from Councilwoman Zietlow, Mr. Thomas said the Committee is not sure what recommendations will come out of the study; the study is set up to determine how much and what kind of a problem is perceived by the residents of the City. He said preliminary indications are that existing noise ordinances are not adequate; that the federal government is setting standards lower than those of the City ordinances.

Mr. Thomas said they expected to have the questionnaires in by November 1 but that they did not anticipate having a final report on the data gathered until the spring.

Councilman Behen said that he would like to see the ordinances we now have which cover mufflers, straight pipes and hollywood mufflers, begin to be enforced where noise could be abated to some degree. Mr. Thomas said that he was sure that if these ordinances were enforced, the noise level in the City would go down. He said one of the problems with a sound ordinance is that you have to have a way of measuring the sound. He said the Commission would not propose an ordinance without also proposing that meters be made available to the police for use in enforcement.

He said that they hoped that there would be public discussion of any ordinances proposed by the Environmental commission concerning noise.

In response to a comment made by Councilman Morrison, Mr. Thomas acknowledged that someone who is hard of hearing would turn their television and radio up louder than the neighbors might like. He said that this would have to be worked out between neighbors in an apartment building situation.

Councilman Towell said that in the past the practice has been that the person with the most "pull" - the person calling in the complaint or the person accused of making too much noise - that succeeded. He said that he hoped this method of operating was going by the boards and more objective standards were being introduced.

Tim Hodenfield, Aide to the Board of Public Works of Public Works, addressed the Council. He said that he wanted to start a procedure of either himself or Mary Lou Brown reporting to the Council on the activities of the Board since the Board only meets about 50 hours before the Council.

Mr. Hodenfield said that at the Board meeting, Mr. Walkenshaw, utilities director, introduced two new employees: Mike Phillips, Water Treatment Engineer, and Paul Koeneman, Director of Laboratories.

Mr. Hodenfield said that the Board had advertised for construction of the sidewalk on Fairview and that the recommendations of the transportation director and the City Engineer, the bids received were rejected as being too high. The City is investigating the possibility of constructing those sidewalks with City personnel and City equipment. He said there may be some question as to whether the City can legally do this or not.

He noted that the Board is presently working out procedures for the Board to approve street plots within the four-mile fringe. The Board has the authority under state law

to do this and is now in the process of working out procedures with state officials.

Mr. Hodenfield said that the Board would like to have, at some future time, guidance from the Council in the control of waterworks, per the City's authority under Public Law 250.

Mr. Hodenfield said that the next major project before the Board is setting up rules and regulations for the municipal garbage collection. The Board has asked the Environmental Commission for some input, we are now asking the Council for some input so we can go ahead and draft the legislation for the Council.

Mr. Hodenfield said that the Board would also like some advice from the Council in the area of alley vacations. Mr. Hodenfield said he thought the Board and the Council were essentially in agreement on the issue by the Board would like some official guidance from the Council in how to proceed on these questions.

Councilman Mizell said he wanted to compliment the Board of Public Works on implementing the policy on saving trees. He said he thought that was a great way to go and with this as a start he said he wanted to remind the Board that this is the season for planting trees and if we can do it now we will have a pretty spring. He said he would like to remind the Board of the section of the Bloomington code which gives the Board of Public Works the authority to require the planting of trees along the public right of way. He said he understood that the superintendent of parks and recreation has provided the Board of Public Works with a list of appropriate trees. He said he wished the Board would move as quickly as possible at instructing people to get some of these trees planted. He said he would look forward to a report from Mr. Hodenfield at the next Council meeting as to how far the Board has progressed with this. Mr. Hodenfield said that one of the things the Board is planning to do is, at the next meeting of the Environmental Commission, ask the Beautification Committee to take an inventory of the trees in Bloomington on the public right of way, and the conditions of the trees.

Councilwoman Zietlow suggested that an inventory of the places where there are not trees might be more useful. Councilman Mizell said that he could recommend several places, such as the intersection of East Third and the By-pass, where there are a lot of bare spaces that could be filled in. Councilman Towell said that if the Board started out in some reasonable way to find the most pressing need for such beautification he was sure that the fact that the Board doesn't cover all of the City would not be held against them.

Councilman Mizell said he thought there were plenty of places that obviously need trees that could be planted now while the committee work catches up in identifying places to plant in the future.

Councilwoman Zietlow said she was very happy with this system of bi-weekly report to the Council by the Board. Councilman Mizell said he hoped this was setting a precedent for other departments.

Councilman Towell reported on the status of the Landlord-Tenant Relationship Ordinance being prepared by the Housing Committee. He said there has been a lot of publicity.

REPORTS FROM STANDING
COMMITTEES

Housing Committee

Councilman Towell reported that the drafting committee is now satisfied with the draft and will be beginning public hearings on Monday, October 9, 1972, at 7:30 p.m. in the Council Chambers. He said copies of the draft have been released; he hoped everyone would read it and come to the public hearings. He said the draft is available for anyone who wishes to receive a copy from the Board of Public Works Office; the Board of Public Works and Council Secretary has copies. He said he has tried to anticipate need and get copies to the Council and the press, radio, the landlord association and other interested parties. He said anyone who has an interest in this ordinance is invited to attend the public hearing on Monday. Councilman Towell said that anyone who felt he had testimony that presents an important point of view on the ordinance, that represents either a special interest group or addresses itself to general provisions of the ordinance, was invited to contact him or the Council Secretary and ask to be schedule on the agenda for the hearing. He said the committee felt there should be some order in the hearing and wanted to review requests to testify as to their importance and pertinence. He said the hearing will be open and anyone who has anything to say will have a chance to say it; to ensure this the room has been scheduled for Monday, Tuesday, and Thursday. He said there are other weeks in the year and the committee was planning to give a thorough hearing to the ordinance. He noted that public hearings were held in the spring and the draft of the ordinance was intended to reflect those hearings. He said the committee has solicited advice from many people in the community already; if they have omitted anyone who should have been consulted, Councilman Towell invited them to communicate with him or other members of the committee: Charlotte Zietlow, Wayne Fix, Brian De St. Croix. The drafting committee consists of Councilman Towell, Ed Pinto, John Irvine, and Fred Ball. John Irvine was an assistant to the Mayor when he started work on the Ordinance; he has since left the City payroll but has continued his work on the ordinance. Fred Ball was a work study student working for the City this past summer; he is a law student and he has continued to work on the drafting chore without pay. Ed Pinto is a law student and, as far as Councilman Towell knows, he has received no pay for his work on the ordinance; other than Councilman Towell he has worked on this ordinance the longest.

Councilman Towell said they wanted to have public discussion so that if the ordinance is

defective it may be improved and if it is salutary, it may be enacted. He said he hoped the procedures satisfied everyone; if there is any way he or the committee has been deficient in providing adequate public hearing, Councilman Towell said he would like to hear that.

Councilman Towell said he invited everyone to attend the public hearing, no matter what interests or point of view they represent. He said his invitation included the Council members as well since ultimately the Council will have to vote on the ordinance.

He said the first public hearing would be Monday, October 9; if at the end of that session, it looks as if one more is needed, it will be that Thursday night, if two more are needed, they will be Tuesday and Thursday; if more than three are needed, the rest will have to be scheduled.

None.

SPECIAL COMMITTEES

MESSAGES FROM COUNCILMEN

Councilman Mizell reported that the Plan Commission has completed all of its work, except for the final reviews, of the proposed zoning ordinance and land use maps, so that the Commission can check to see if the materials it wanted have been put into these documents, with one notable exception - the planned unit development section. The reduced maps have been received from the processor in Indianapolis. A draftsman has been hired, who will begin working next week on placing the Commission's changes on these maps. The final review of the maps, hopefully, will be on October 30. Between now and then, the Commission will be reviewing the ordinance. A meeting is scheduled on October 16 for the discussion of the planned unit development section, which has been causing some concern with the general public and the members of the plan commission. A public hearing was held several weeks ago, at which time the commission did receive many comments from concerned private citizens. Shortly after that meeting, the Commission received a letter from the Council of Neighborhood Associations indicating their concern with several points and they volunteered to send a committee to work with the plan commission at one of its work sessions. The notable absence at the meeting was that of the people who would perform part of this PUD ordinance, the developers. There were no developers or real estate persons at that meeting. The plan commission has instructed the planning staff to request some representation from the home builders' association and the real estate association in Bloomington to meet with representatives of the neighborhood associations at a work session of the plan commission to be held on the 16th of October so that whatever difficulties that there may be with the PUD ordinance can be ironed out. He said he hoped this would be taken care of by the 24th or the 30th of October and then it would be simply a matter of distributing the information prior to holding a public hearing before the plan commission, hopefully in the middle of November.

Sherwin Mizell

He said they were hoping to prepare the maps in such a way that they could be reproduced with a blue print machine so that the 16 maps of the City could be distributed to the public. Councilman Mizell said they also hoped that the newspapers could be encouraged to print, as an insert the body of the proposed ordinance so that it would get its widest distribution to the general public; this would allow every household to have its own separate copy of the proposed ordinance to study for two weeks prior to the public hearing. If this were the case, Councilman Mizell said, we would definitely have a well-informed public body who could come prepared to the public hearings.

Councilman Towell commented that it seems a lot is being expected of the public in the next few weeks and if they want good government, it is up to them to take an active roll in the next few weeks. He said he is sure the special interest groups will; it is up to the public more generally to take an interest in the next few weeks if they want the benefits of good government.

Councilman Fix said that with the time spent with the Monroe County Fair and Park Boards and City at the last meeting of the Board of Public Works an agreement has been reached so that water will be gotten out to the fair grounds and to the new Monroe County Park at the old poor farm site. He said he thought this was quite a step forward that the three different agencies did finally get together. He said that with each agency meeting once a month, it takes quite some time to get them coordinated.

Wayne Fix

Councilman Behen said that there has been much discussion pertinent to the City's possibility of buying the old Monroe County Library for various purposes; there has been speculation that it would be a beautiful site for a City-County building if that ever materialized. He said he would like to see some County and City involvement pertinent to the purchase of some, rather than the City being the one to consider purchasing it. He said he could only speculate as to how that could come about but he thought that if there is ever to be a city-county building it should be launched on a firm foundation of a joint venture between the City and the County. He said he thought it was something that could be pursued through the County Council to find out what their opinion might be on it.

Richard Behen

Councilman Fix said he has been approached by a lot of people who think that the old Library Building should be preserved as it is. He said he

thought the historic and other committees should get their views known on this. Councilman Behan said that it would be good if it could be a County-City preservation if that is what it is to be.

Councilwoman Zietlow said there is a historic preservation committee of the Environmental Commission and she thought the Council could make their views known to that committee.

Councilwoman Zietlow said that she wanted to remind everyone of project commitment, which is meeting every Tuesday in October, at Fairview School, at 7:30 p.m. Two weeks ago the Council passed a resolution endorsing the program and urging citizens to attend. Charlotte Zietlow

Councilman Mizell said that it is now Fall and the Council Thursday meeting date conflicts with the County School Board. He said a lot of people have asked him whether the Council intends to separate the meeting night; a lot of people would like to attend both meetings. Sherwin Mizell

Councilman Davis and Councilwoman Zietlow said that they remembered from the discussions with the School Corporation that the School Corporation had indicated that they might reschedule their calendar. Councilwoman Zietlow said she would check into it again and see if there was some kind of arrangement that could be worked out.

Councilman Morrison moved that Resolution No. 72-56 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote. RESOLUTIONS
No. 72-56
Transfer of Funds

Grace Johnson read Resolution No. 72-56

Councilman Morrison moved that Resolution No. 72-56 be adopted. Councilman De St. Croix seconded the motion.

Councilman Davis said that he thought the \$15,000 transfer in the Cumulative Capital account should be explained for the public record.

Martha Sims, Controller, explained that the transfer from the Contractual services item in the Cumulative Capital budget to the materials item is to permit the City to do the construction of the sidewalk on Fairview with City personnel and equipment, rather than letting a contract for the work.

Larry Owens, City Attorney, said that in his opinion this is a legal action.

Councilman Mizell said that some of this money was to go for repairs for the fire department. He said that anyone who has been in the station knows that repairs are needed. He pointed out that the labor is being supplied by the firemen.

The question was called. RESOLUTION No. 72-56 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman Morrison moved that resolution No. 72-57 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

Resolution No. 72-57
Budget Reductions
Appeal

Grace Johnson read Resolution No. 72-57.

Councilman Morrison moved that Resolution No. 72-57 be adopted. Councilman De St. Croix seconded the motion.

Councilman Morrison asked the Council President if she knew the reason and the theory behind the tax board for making the cuts that they have made on the budget. He said there has to be a reason why they cut the City budget.

Council President Zietlow said that the reason she was given was "that they had to cut somewhere." Councilman Morrison said that was not a reason; he said that there has to be a better reason than that. Councilman De St. Croix said that he believed that that was the public reason given.

Councilman Behen said that he viewed this resolution as asking the Council to vote once again on the salary ordinance adopted earlier. He said he did not feel that there needed to be discussion on the issue.

Councilwoman Zietlow said that it would be possible to go back and read the newspapers to find the reasons given by the tax board. Councilman Morrison said he never really thoroughly understood the reasons why the cuts were made.

Councilman Towell said that these cuts very definitely represent policy decisions by an appointed board and that the elected officials of the City of Bloomington had already made policy decisions which favored programs which were deleted by the Board. Councilman Towell said there is a belief in the present city administration (the council and the Mayor) that the legislative branch of the City needs some help, and therefore this position was budgeted; the City administration felt that a strong legal department was essential to the interest of all the citizens of the City of Bloomington and therefore a certain amount was budgeted for that after much discussion - he said he thought that any policy affecting the legal department, including annexation was affected by this decision. Councilman Towell noted that almost all the budget of the Human Rights commission was deleted by the Tax Adjustment Board, which indicates a definite decision about human relations in this city.

Councilwoman Zietlow said that it is interesting to note that the Human Rights Budget was approved one evening by the Board and then opened up again the next morning without previous warning, and then cut.

Councilwoman Zietlow said that she asked the Board for reasons for these cuts. She said she was told that all these were very good ideas but not now.

Councilman Towell said he would also ask the citizens of Bloomington to look at which individuals appointed by which public officials voted on these policy matters and if they agree or disagree to give credit or dis-credit to those public officials who appointed these persons who made these policy decisions.

Councilman Morrison said that he wanted to point out to Councilman Towell that the election is over; that this is purely business, this affects the everyday tax payer. Councilman Morrison said that he would rather think that anytime there is an attempt to delete anything from a budget that it be purely business and not political. He said he thought that Councilman Towell's remarks were inappropriate.

Councilwoman Zietlow said that she agreed that matters of budget should be purely business and not political.

In response to a question from the audience, Councilwoman Zietlow explained that the Tax Board is composed of a representative from the School Board, from the County Council, from the City Administration, and four appointments made by the three judges - the two superior court judges and the circuit court judge which appointments are to be two democrats and two republicans.

Councilman Morrison said it is supposed to be a non-partisan board.

Councilman Morrison asked the Council President if she remembered what the tabulation of votes was on these budget cuts. She said that on the Council cut the vote was 5 to 2; the legal department and human rights commission cuts were both 4 to 3.

Councilman Towell said he would like to have the names read aloud. Council President Zietlow said that the people who voted against the legal department and human rights commission appropriations were Dr. Manifold, Mr. Latimer, Mr. Hathaway and Mr. Stipp; Mr. Schraeder, Mrs. Gottfrisd and Myor McCloskey voted in favor of retaining the items. On the Council matter Mr. Schraeder also voted against it, in addition to the other four.

The question was called.

RESOLUTION No. 72-57 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 6, Nays 2 (Nays: Morrison, Behen)

Councilman De St. Croix moved that Resolution No. 72-58 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote. Resolution No. 72-58 Consumer Awareness Week

Grace Johnson read Resolution No. 72-58.

Councilman De St. Croix moved that Resolution No. 72-58 be adopted. Councilman Morrison seconded the motion.

Susie Yates, a student at the School for Public and Environmental Affairs, addressed the Council. She said that the second national conference on student consumer action will be held here at I.U. the week of October 9. She said about 150 students and community persons from around the country are expected to attend; a comprehensive schedule of speeches and workshops has been proposed, which will include a general overview of consumerism as a movement and as a problem. The workshops will enable people to come together and pinpoint some of the areas of concern. She said the basic purpose of the conference is to promote good understanding between the groups of government, business and the consumer so that there can be some kind of progress in consumer problems and doing this within the system and together.

Councilman Davis asked if the Council would be provided with a schedule of event. Susie Yates said that it would be in the newspapers. The conference begins Tuesday morning, October 10 and ends Friday morning, October 13.

Grace Johnson said that the City Court Will be offering a workshop on how to set up a small claims court. Councilman Towell said he has been invited to participate in a workshop on landlord-tenant problems.

The question was called.

RESOLUTION No. 72-58 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, NAYS 0.

Councilman De St. Croix moved that Resolution No. 72-59 be introduced and read by the Clerk. Councilman Morrison seconded the motion.

Resolution No. 72-59
Kirkwood and Dunn Property

Councilman Davis said that he was concerned that the Council does not have before it an option to pick up the offer for both parts of the property. Councilman Behen said he thought the option was there since the other offer is common knowledge.

The motion to read the resolution was carried by a unanimous voice vote.

Grace Johnson read Resolution No. 72-59 (The resolution was for the sale of the front portion of the Kirkwood and Dunn property to Paul May for \$115,000.)

Councilman De St. Croix moved that Resolution No. 72-59 be adopted. The motion was seconded by Councilman Morrison.

Councilman Behen said that he would like for any member of the Council or any person in the Council Chambers at this meeting who feels he should abstain from voting on this would express himself at this point. He noted that one of his businesses is directly across the street from the property in question. He said that if anyone feels that he might have any ulterior motives for voting for or against

the sale he would like them to speak out and he would then abstain from discussion and voting.

Councilman Towell said that he saw no conflict of interest and hoped that Councilman Behen would participate in consideration of this issue, however his vote might go.

Councilman De St. Croix said he very much agreed with Councilman Towell's statement. Councilwoman Ziefelw said that was her feeling also.

There were no objectives to Councilman Behen's participation expressed by either the Council or the members of the audience in the Council Chambers.

Councilman Mizell asked for an explanation of what the alternate offer for the property is. Mayor McCloskey said that the alternate offer is for purchase of the entire lot for \$215,000. He said that if the Council chose to take that option, the resolution could be reworded at this time and acted upon with instructions given that the correct legal description be inserted the following morning. He said the condition of the sale would be the same: subject to financing, building permits, etc. The only differences are the size of the property and the price.

Councilman Morrison said that, for undeveloped property, the \$215,000 is a fair price. He pointed out that when the property was purchased by the City, there were buildings on the property so that the City paid more for it than what they can sell it for. What is being sold now is raw ground. Councilman Morrison said that he thought the City did overpay for the land when it was purchased, and that he thinks that Paul May is offering fair and equitable price. Councilman Morrison said that he would move that if the City sells the property that it be sold as a whole, not piecemeal.

Mayor McCloskey restated the reasons that he thought the front part of the property should be sold. He said that whether the whole or half is sold, the building would be about the same and so would the increment to the tax base. He said that there is a need for parking in that area, particularly if the City does go to a mall concept in that area. Mayor McCloskey said that he thought both prices offered were decent prices, that the back part could be retained and sold later or used for the development of multi-tier parking. He said that whatever the Council does - selling all or part at this meeting is fine but his preference is to only sell the front part of the property.

In response to a question from Councilman Morrison, Mayor McCloskey said that the rough estimate for putting in a parking lot on the back part, with the City doing the work, is about \$5,000 or \$6,000. He said it would be metered parking for use by all persons desiring to park in that area, not just for one store. He stressed the fact that these figures are only rough estimates at this point. He said if the lot were bid outside the City departments, it would cost \$10,000 to \$12,000.

Councilman De St. Croix said that he did not consider selling the front half of the lot to be a piecemeal approach. He said he thought the Council has demonstrated systems and to encourage the development of malls so people can walk to stores. He said he did not think the City would be losing money by having a parking facility in that area. He said he thought everyone was aware of the parking problem that exists in that area now. He said he thought that was high-potential development area for the City; the City will be faced with future parking needs in that area. Councilman De St. Croix planning ahead and seeing to it that we are dwelling with those problems before they come up. Councilman De St. Croix said he therefore supports selling the front half and maintaining the rear half at this point for a parking facility with options for the future. He said he thinks it gives the City greater flexibility.

Councilman Morrison said that the business potential of the property on Kirkwood was much greater than on Fourth Street. Councilman De St. Croix said that there are spin-offs from business development that we have to keep in mind - transportation and parking.

In response to a question from Councilwoman Zietlow, Mayor McCloskey said that, according to Mr. Crossman, there would be about 65 parking spaces on the back part of the property.

Mayor McCloskey asked Mr. Crossman to speak to the Council regarding his thinking for the area.

Mr. Crossman said the planning department has examined the rear portion of the Kirkwood and Dunn property, which is the larger area of the total parcel. He said the lot could very easily take care of 65 cars; with thought given to preservation of the two or three large trees on the lot, a parking lot could be designed with five or six fewer spaces. Mr. Crossman said that the area was cited in the Voorhees report as one of the prime needs for parking in the City. He said that he thought that anyone who has attempted to find parking in the Kirkwood and Dunn area would bear out the fact that parking is much needed there. He said the question of whether or not this would be appropriate only if a mall is developed is not important; the parking demand is there and parking is needed whether or not the street becomes a mall.

Councilman Towell said that he would prefer to deal with what the present City administration and Council see as the projected needs, than to rely on the Voorhees report. He said one of the things the Voorhees report assumed was an office building with as much space as the G.E. plant on the West side of town and he did not think there were any realistic plans for that now. Mr. Crossman said that he thought that the assumptions of the Voorhees report probably are no longer valid but the fact remains that there probably is no real area in the City of Bloomington that has a more intense parking problem than the Kirkwood Street area, particularly

that near the University. He said the Board of Zoning Appeals recently granted a variance for parking for a business in the area. He said there is just not enough space for the development of business lots fronting on Kirkwood to provide their own parking. If business is to grow at all in this area, Mr. Crossman said, some parking facilities are just going to have to be provided. Mr. Crossman said he was not saying who would have to provide the parking but that it would have to be provided or else there is absolutely no potential for growth in that area.

Councilman Towell said that as he understood, the parking variance was granted for the project that is proposed for the Kirkwood and Dunn property but had originally been planned for the northeast corner of the intersection on what is known as "People's Park".

Mr. Crossman said that the fact that it was relevant to request the parking variance is what is important, not the question of what the business is or just what the location is.

Councilman Mizell said that as he remembered, the building size of the business involved was such that there would not be enough land left over for parking. He said the developer's choice, rather than cut down the size of the building, was to do away with the parking requirement.

Mr. Terry Laverty addressed the Council. He said he is the one who asked for the variance on the property on the northeast corner of Kirkwood and Dunn. He said he asked for the variance at any size that will come close to paying for itself with the present parking regulations. He said that if you were to build a building even a third the size of the lot you would have to have parking that would cover 75% of the lot, which makes it totally economically unfeasible to build.

Mr. Laverty said that he would be buying the property from the City with Paul May. Mr. Laverty said that the reason they are now looking at the City's property is because of a conflict with the owner of the property across the street that they had originally looked at. Mr. Laverty said that if they buy the front half and spend half a million dollars on that lot putting up the building, it will increase the value of the rear half of the property. He said that if the City spends \$10,000 or \$12,000 to build a parking lot, the value of that land will increase once they have put up their building.

Councilman Davis asked if the option to sell the entire property was exercised whether the parking variance would still be required. Mr. Laverty said that the property does consist of two separate plots. He said that if they bought the entire property, they would just develop the front half for the time being, see how that goes and then either sell the back half or expand on to it. He said that if they do spend what they are planning to on the front half of the property, the back half would increase in value. He said that for anyone but the City to spend \$100,000 for a parking lot is not rational and he would not plan to develop the back lot as a parking facility himself. He said this land in the middle of the City is more expensive than the land purchased by shopping centers on the edge of cities.

Mr. Kevin Craig addressed the Council. He said that there is already a recognized need for more parking in the area and that to introduce more business into the area will only make the parking problem more acute. He cited the need for open space in the City.

Councilman Behen said that open space is not a particularly acute problem in that area because of the open space in the University, across Indiana Avenue. Mr. Craig said that the University is not a part of the City. He said he did not think it made sense to sell the land at a loss to put in another business in the area.

Mayor McCloskey asked if there was something socially or morally reprehensible about being in business. The Mayor said that an active business area can fund parks and the City's parks and recreation department has been and will continue to be very active; the City is going into a bond issue and talking about the possibility of more neighborhood parks, etc. The Mayor said it is the concensus of the City at this time that the community is best served by having a business complex there regardless of the decision made here tonight.

Mr. Craig said that he has no qualms about private enterprise but he questions the way that this building will fit into the over-all planning of the Kirkwood area as a mall area. He questioned whether this building will contribute to the mall concept or detract from it.

Mayor McCloskey said that from what he understands of the proposed structure, it will be socially and economically beneficial and will make the area very interesting and very attractive.

Councilman De St. Croix said that he thought the Council has gone on record as being in favor of block parks throughout that Mr. Craig's statement that Indiana University is not a part of the City is a disservice to the Community. Councilman De St. Croix said that Indiana University is a part of the City; the City has a responsibility for all people within its boundaries.

Councilman De St. Croix said that the State may own that land but it is the responsibility of the City of Bloomington and its elected officials to serve all the people in the City. Councilman De St. Croix said that any citizen of this state can have access to any property that is under the jurisdiction of Indiana University. Councilman De St. Croix stated further that the property in question is expensive for a park, it is a poor site for a park, it is a loss to the tax rolls, park facilities should be better protected for children than on two major thoroughfares with heavy automobile traffice. Councilman De St. Croix said that he thought that the type of development being discussed, with or without a mall, does best serve the community. Councilman De St. Croix said that if Mr. Craig has questions about the events that have led up to this decision, he can find information on the studies undertaken in newspaper and library files.

Councilman De St. Croix said that he thought Mr. Craig was missing the point that studies have been conducted on the use of the property and that the department of parks and recreation has made recommendations and studies for park facilities, and that the property is not suitable either economically or geographically for park development. Councilman De St. Croix said that the suggestion that park facilities be put up on the property amount to a suggestion that about half a million dollars be invested in a park facility. Councilman De St. Croix said he agreed that the City's park facilities are not adequate to meet the need but that this is not an appropriate site for a park.

Councilman Behen asked Mr. Craig what his special interest in this area is. He said his special interest is the welfare of the residents of the entire city.

Councilman Behen said that an upgrading of that Kirkwood area is very essential and, in his opinion, the presentation by the buyers is what the area needs.

At 10:00 p.m., Councilman Towell moved to suspend the rules and to move the Council adjournment deadline to 11:00 p.m. Councilman Morrison seconded the motion.

SUSPENSION OF THE RULES

Councilman Towell said that if this was not done, there would be privileged motion to adjourn at the end of consideration of Resolution No. 72-59.

Councilman Davis said he was not in favor of setting deadlines but he said he did not like the idea of the meetings going on and on, doing basically committee work, as was done earlier in the meeting. He said he thought therefore, that it was functional for the council to set deadlines but then the only way that they would make any sense would be for the Council to stick by them. He said that perhaps then people will then take the Council seriously and not attempt to do committee work on Council time.

Councilman De St. Croix said he has consistently been opposed to the setting of deadlines because he feels it is the Council's responsibility to fulfill its commitment to the community by the agenda that it sets. He said he agreed with Councilman Davis' observation that a great deal of time was spent at this meeting doing committee work that should be done in committee. He said he was referring particularly to the report and the extension of the discussion of the report of the environmental commission. He said he would therefore not vote to suspend the rules.

Council president Zietlow said that she thought these reports are committee reports to the Council and the City and she thought that the Council had the right and the obligation to hear them.

Councilman De St. Croix said that he did not question the hearing of the report; he was questioning the

Council's carrying on beyond that in terms of the discussion that the Council got into.

Councilman Towell said that he would like to hear from either Councilman Davis or Councilman De St. Croix of what they consider to be a committee report. Councilman De St. Croix said that the extended debate on sampling techniques used by the Environmental Commission was a question that should have been referred to the Environmental Commission.

Councilman Davis said that he would characterize a committee report as something about which the Council does not have to make a decision, where extended detailed discussion is carried on.

Council President Zietlow called for a voice vote on the motion to suspend the rules and extend the adjournment deadline. A voice vote was taken. Councilman Towell called for a ROLL CALL VOTE as he did not hear enough votes for a quorum.

THE MOTION TO SUSPEND THE RULES WAS DEFEATED BY A ROLL CALL VOTE OF AYES 5, NAYS 3 (Nays: Davis, De St. Croix, Fix) THE MOTION FAILED as a majority vote was required for passage of a motion to suspend the rules.

There was further discussion of Resolution No. 72-59. Councilman Fix said he thought the City should hold on to the back part of the property for parking to meet present needs.

Councilman Behen said that there is a "crying need" for parking in the area in question.

Mayor McCloskey said that the City could always sell the back half of the property in the future but that if the City needed to purchase land for a parking lot in the future, it would be more expensive.

The question was called.

RESOLUTION NO. 72-59 was ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

The meeting was adjourned at 10:35 p.m.

Charlotte T. Zietlow
Charlotte T. Zietlow, President

ATTEST:

Amy G. Mann
Amy G. Mann, Secretary

LAKE MONROE,
WATER QUALITY,
AND
DEVELOPMENT

by

David M. DeCauer
Chairman
Water Quality Committee
City of Bloomington

August 14, 1972

Members, Indiana Stream Pollution Control Board,

As the chairman of the Water Quality Committee of the City of Bloomington, I can say that the committee is very concerned about the water quality of Lake Monroe.

The use of the Lake as a water supply was considered a secondary benefit at the time of construction, but to the people of Monroe and Brown Counties it is a primary and invaluable benefit. Recreation, also a secondary benefit at the time of construction, is now very important. Lake Monroe is considered as one of the largest water recreation areas in Indiana, and adds to the recreation allure of Brown County, Morgan-Monroe forest, Hoosier National forest and game preserves.

We feel that residential development, not even considered as a use in the cost-benefit ratio, is not only a threat to the aesthetic values and to public access to the Lake, but it is a threat to the Quality of the Lake water itself.

Uncontrolled development could cause deterioration of the water to a point where its use for municipal supply could be costly or impossible. Extensive algal growth, or growth of undesirable species that cause bad taste or odor can severely discourage recreational use. Under extreme conditions depletion of oxygen can occur and subsequent fish kills ensue. Fish and wildlife preservation is another secondary use of the reservoir.

How susceptible is Lake Monroe to this degradation? The fact that it is relatively shallow with no deep and stable thermocline may make it susceptible to pollution. On the other hand, yearly flushing may diminish the effect of enrichment to some extent. This has been observed to be a possible effect in Chickamauga Reservoir, Tennessee. (Stream Sanitation

It was found for Wisconsin lakes that levels of inorganic nitrogen below .3 mg./liter and of inorganic phosphate below .010 mg./liter may limit extensive algal growth. (Sawyer 1947) Another worker found limiting levels of inorganic nitrogen below .1 mg./liter and inorganic phosphate below .009 mg./liter. (Chu 1943)

During the spring flushing and turnover in Lake Monroe, levels at the Causeway for inorganic phosphate reached .008-.018 mg./liter, and generally .01-.03 mg./liter at Pine Grove. There was also a high of .077 mg./liter at Pine Grove. High levels of inorganic phosphate and total coliform bacteria were followed down North Salt Creek from the Nashville sewage plant, to Pine Grove, and even the Causeway in late spring. Nitrates never dropped below 1.0 mg./liter and had maxims at 7.5 mg./liter.

During the summer, levels of inorganic phosphate dropped to around .006-.009 mg./liter at Pine Grove, but levels of .027 mg./liter were found at the bottom of the old stream bed. This indicates, as temperature data confirms, that the pollution from Nashville travels at the bottom of the old stream bed in the Lake during the summer.

On August 8, 1972 because of cool weather and of the instability of the thermocline, the water turned over and mixed at Pine Grove. Data from 1971 indicates that thermoclines are unstable during the summer even in the Fairfax area. Thus the deep lying phosphate concentrations can be periodically brought to the surface and made available to algae. The levels found at the bottom during the summer and at all levels during the spring are over the theoretical limiting levels. Lower levels of nutrients were generally found in the other two forks, except that on July 18, 1972, .024 mg./liter inorganic phosphate was found in the South fork of Salt Creek.

The low transparency of the Pine Grove water in the spring was attributed to sediments. By May 30, after there was time for settling and stratification, the transparency was still only about one meter. Transparencies of 1.3 meters were found in eutrophic Lake Haruna. (Yoshimura 1933) Pearsall and Ulliyott (1934) found transparencies of about one meter during the blue-green algae bloom in Lake Windemere.

Chlorophyll determinations show that much of the turbidity was due to nanoplankton. The levels have stayed fairly constant during the summer. Increasing organically bound phosphate levels until early June, when they level off, conform to the observation of a large amount of algae.

Nitrate levels were still .4-.6 mg./liter on May 30, possibly allowing for a bit more algal growth.

There is an oxygen deficit in the hypolimnion, common in eutrophic situations. (Ruttner 1952)

Thus it seems that Nashville's sewage, after 16 miles of stream purification can still affect the water quality in the reservoir. What could a similar load, even with better treatment, do to the Lake if introduced directly?

The present amount of algae has not become obnoxious, but there have been complaints by fishermen and swimmers as to the turbidity of the water.

The research on Lake Monroe was done by myself and other students of the Division of Biological Sciences at Indiana University.

It seems that the levels of nutrients in the Lake may be at a critical level, and the incorporation of additional nutrients should be considered carefully. Symons in 1964 stated that it was important to consider the quality of water as it effects downstream impoundments.

It has been observed that with forest run-off, of which there is a

considerable amount around Lake Monroe, all that may be needed for increased algal growth is a slight increase in soluble phosphate. (Sylvester 1961) Nielson (1955) found that the primary source of nutrients found in Lake Sollerod was purified sewage.

The introduction of even treated sewage to Lake Monroe may be detrimental. A possible alternative is diversion of the effluent to a discharge below the dam. This method was used in Madison, Wisconsin in 1957 to divert sewage around eutrophic lakes Monona, Waubesa and Kegonsosa, with subsequent reduction of nutrient concentrations in the lakes. (Lawton 1961) Unfortunately the sewage was just diverted, and not treated further. There was a subsequent degradation of the water below the outfall in the Badfish River. (Wisniewski 1961)

Thomas (1969) indicated that circumferential pipelines to central sewage plants below the outfalls of lakes Tegernsee (Germany), Zellersee (Austria) and Hallwilersee (Switzerland) were a most effective precaution.

A pipe could possibly be laid to the Fairfax and Moores Creek areas to take away sewage, but it is less likely for this to happen to areas above the Causeway. The pipe could run under the lake to a new City plant in the Harrodsburg area.

Thus the Water Quality Committee recommends this method of development for Lake Monroe. Major development would be delayed 3-5 years until the new Bloomington sewage plant is built. Development would also be limited to the Fairfax and Moores Creek areas because of the length of the pipelines needed. This has the added advantage of placing development away from natural areas, preserves, and National Forest Lands, and nearer to the Fairfax recreation area. The effects of man's activities may also be minimized here because of water depth and the close proximity to the outfall.

If development takes place elsewhere or before a pipe and Harrodsburg plant can be built, then we urge that phosphate removal above the 80% state standards and nitrogen removal be required.

Ohle (1953) stated that attaining 80% phosphate removal by activated sludge was very rare, and not easy to maintain. Removal of total nitrogen by pond treatments, trickling filter, or activated sludge is less than 50%. (Wahrman 1964)

Below is listed the general nutrient composition of raw sewage according to S. R. Weidol (1969). I have calculated what the sewage effluent would contain with a good activated sludge plant.

<u>Nutrient</u>	<u>Raw Sewage</u> mg./liter	<u>Removal</u> %	<u>Effluent</u> mg./liter
Total Nitrogen	40	50	20
Inorganic Nitrogen	30	50	15
Total Phosphate	10	80	2

Using the critical levels of .3 mg./liter inorganic nitrogen and .010 mg./liter inorganic phosphate, it can be seen that this effluent can have a drastic effect even if diluted more than 50 times for nitrogen and 200 times for phosphates. If a development of 4,000 persons were on the Lake, at 100 gallons sewage/person per day, there would be an effluent of 400,000 gallons/day. This means a possible effect on 80 million gallons of Lake water per day. Though this is only 1/733 of the normal capacity, of the Lake, this pollution could have great local consequences. Also cumulative effects of all sources and over a period of time must always be considered when working with living systems.

Bush (1961) states that an activated sludge system followed by a stabilization pond is usually only 19-68% effective in reducing phosphates. Thus without chemical precipitation, 80% phosphate removal seems unlikely.

Below are costs for 95% and 99% removal of phosphates with chemical treatment according to Malhotra (1964). Using these methods, it was reported that there was a consequent 60% removal of organic nitrogen.

<u>Chemical Treatment</u>	<u>95% Removal</u>	<u>99% Removal</u>
Lime	\$32*	\$40* (dose, 600 mg./l.)
Alum	\$73* (dose, 250 mg./l.)	
Sodium Hydroxide	\$330	

With an alum dosage of 200 mg./liter and an alum recycling system, Lea (1954) demonstrated 96%-99% phosphate removal for \$20 per million gallons.

Though inorganic nitrogen removal may be more expensive, it may also be advisable. Gleason and Leonam (1933, 1934) developed the Guggenheim process that reportedly removes 79% organic and 67.4% ammonia nitrogen. Operating costs for a 30,000 gallon/day plant in 1934 was \$36.16 per million gallons.

Gerloff (1950) indicated that some blue-green algae, especially Coccolioris peniocystis grow best at a high nitrogen/phosphorous ratio. Thus just taking phosphates may select for the less desirable blue-greens.

If stabilization ponds are to be used, I hope a common mistake is not made. Ross E. McKinney stated this about stabilization ponds, "It is apparent that the extensive algal growth resulted in the production of more organic matter than was contained in the raw sewage. Discharge of the plankton in the effluent did not solve the pollution problem, but merely changed its form."

Stewart (1967) stated that a large amount of phosphorous may be carried away with the algae, causing fertilization downstream.

*Costs in dollars per million gallons.

Hall and Dracup (1970) suggested how to remedy the situation. "This is accomplished by some form of tertiary treatment in which the water is held so as to permit the growth of algae where they can be removed, simultaneously removing the nutrients." Therefore the Water Quality Committee asks that flocculation and sedimentation be provided for the pond effluent before discharge.

A good question is what is to be done with the sludge generated by the sewage plants around Lake Monroe. In 1968-69 the City of Bloomington caused considerable pollution in Sugar Camp Bay from its alum drying beds at the water purification plant. At the present time the City is having difficulty disposing of its sewage sludge. How will the Lake plants cope with it? Dewatering? Use as fertilizer in areas outside of the watershed?

One final word. The fewer people there are, the less sewage there is. With this in mind and considering the aesthetic values of the area, limiting the concentration of development to one unit per acre for the whole development may be quite advisable. Allowing a greater concentration for one development, at a time when it may seem to be of little consequence, can set a dangerous precedent. It will become increasingly difficult to limit the concentration of future development to one unit per acre, and the net result is overdevelopment.

Summary

The Water Quality Committee of the City of Bloomington asks that residential and other developments on Lake Monroe be delayed until a regional sewage plant can be provided below the outfall, and that development be limited to the Fairfax and Moores Creek areas, which can be easily serviceable by a pipe from below the outfall.

If development occurs earlier than such a diversion is possible we ask that phosphate and nitrogen removal be at least 95% and 80% respectively

be required. We ask that stabilization ponds be followed by settling of the bacteria and algae in the effluent. We ask that disposal of sludge be thoroughly reviewed.

We also consider that a concentration of one unit per acre is a level more compatible to the area than concentrations being proposed by developers.

Sincerely,

David M. Docauer
Chairman
Water Quality Committee
City of Bloomington

BIBLIOGRAPHY

- Bush, R. H., J. P. Isherwood, and S. Rodgi. 1961. Dissolved Solids Removal From Waste Water by Algae. J. Sanit. Eng. Div. Amer. Civil Engrs. Sa3 87:39.
- Chu, S. P. 1942. The Influence of the Mineral Composition of the Medium on the Growth of Planktonic Algae. II. The Influence of the Concentration of Inorganic Nitrogen and Phosphate Phosphorous. J. Ecol., 31: 109-148.
- Gerloff, G. C., and F. Skoog, and G. P. Fitzgerald. 1950. The Isolation, Purification, and Nutrient Solution requirements of Blue-green Algae, p. 27-44. In Symposium on the Culturing of Algae, C. F. Kettering Foundation, Dayton, Ohio.
- Gleason, G. H., and A. C. Loonam. 1933. The Development of a Chemical Process for the Treatment of Sewage. Sewage Works J., 5: 61-73.
- Gleason, G. H., and A. C. Loonam. 1934. Results of Six Months Operation of a Chemical Purification Plant. Sewage Works J., 6: 450-468.
- Hall, W. A., and J. A. Dracup. 1970. Water Resources Systems Engineering. p. 345. McGraw-Hill. New York.
- Lawton, G. W. 1961. The Madison Lakes Before and After Diversion. p.103-117. In Trans. 1960 Seminar on Algae and Metropolitan Wastes. Robt. A. Taft Sanitary Engineering Center, Tech. Rept. W61-3.
- Lea, W. L., G. A. Rohlich, and W. J. Katz. 1954. Removal of Phosphate from Treated Sewage. Sewage and Industrial Wastes 26: 261-275.
- Malhotra, S. K., G. F. Lee, and G. A. Rohlich. 1964. Nutrient Removal from Secondary Effluent by Alum Flocculation and Lime Precipitation. Int. J. Air Water Poll. 8: 487-500.
- McKinney, R. E., 1969. Microbial Relationships in Biological Wastewater Treatment Systems. p. 176 of Amer. Microscopical Soc. Symp. The Structure and Function of Fresh-Water Microbial Communities,
- Nielsen, E. S. 1955. The Production of Organic Matter by the Phytoplankton in a Danish Lake Receiving Extraordinarily Great Amounts of Nutrient Salts. Hydrobiologia, 7: 281-286.
- Ohle, W. 1953. Phosphor als Initial Faktor der Gewässerentronhierung. Vom Wass., 20: 11-23.

RESOLUTION No. 72-56

October 5, 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:

CUMULATIVE CAPITAL

FROM # 26 Contractual Services \$15,000.00
TO # 41 Building Materials \$15,000.00

ROSE HILL CEMETERY

FROM # 71 Buildings, Structures,
and Improvements \$ 100.00
TO # 72 Equipment \$ 100.00

HUMAN RIGHTS COMMISSION

FROM # 21 Communications & Transportation \$ 100.00
TO # 36 Office Supplies \$ 100.00

ENVIRONMENTAL COMMISSION

FROM # 11 Salaries & Wages \$ 36.25
TO # 21 Communication & Transportation \$ 36.25
FROM # 37 Other Supplies \$ 75.00
TO #213 Travel Expenses \$ 75.00

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

APPROVED:

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

ADOPTED: October 5, 1972
Date

RESOLUTION NO. 72- 57

A RESOLUTION AUTHORIZING THE TAKING OF AN APPEAL TO THE STATE BOARD OF TAX COMMISSIONERS FROM REDUCTIONS TO THE CITY OF BLOOMINGTON BUDGETS AND TAX LEVY OF THE YEAR 1973 BY THE MONROE COUNTY BOARD OF TAX ADJUSTMENT

WHEREAS, the Common Council of the City of Bloomington did in compliance with Indiana law enact a budget and tax levy for the year 1973, on August 28, 1972, and

WHEREAS, the Monroe County Board of Tax Adjustment did on October 2, 1972, publish notice that it had reduced numerous budget items and the tax levy for the City of Bloomington, and

WHEREAS, the Common Council now finds that several of the items reduced are necessary to the efficient functioning of City of Bloomington government and that it is in the public interest that said items be restored;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, that an appeal be taken to the State Board of Tax Commissioners petitioning the restoration of the following items to the 1973 City of Bloomington Budget:

COMMON COUNCIL

100-Services Personal \$6,500.00

LEGAL DEPARTMENT

100-Services Personal \$6,500.00

HUMAN RIGHTS COMMISSION

All line items \$14,190.00

Total sum to be restored -	\$27,190.00
Amount to be restored to Tax Levy-	.038
Total Tax Levy Requested-	3.018

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

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

Adopted: October 5, 1972

RESOLUTION 72-58
CONSUMER AWARENESS WEEK

WHEREAS it is the desire of the Common Council of the City of Bloomington to promote a climate of understanding between the consumer and business and

WHEREAS it is hoped that business, with its daily knowledge of the marketplace, will play a major role in educating the consumer and

WHEREAS it is also hoped that the consumers of Bloomington will conscientiously attempt to become aware of their rights and of their responsibilities as consumers

HEREBY BE IT RESOLVED that the Common Council of the City of Bloomington endorse October 9-13 as Consumer Awareness Week and urges citizens to participate in the scheduled events.

Charlotte T. Zietlow

Charlotte T. Zietlow

Common Council,

City of Bloomington

Francis X. McCloskey

Francis X. McCloskey, Mayor

City of Bloomington

adopted

October 5, 1972

RESOLUTION NO. 72- 59

After thorough investigation and discussion thereof it is now determined that certain real estate now owned by the City of Bloomington located at the southeast corner of East Kirkwood Avenue and Dunn Street in the City of Bloomington, Indiana, more particularly hereinafter described should be sold at and for the purchase price of One Hundred Fifteen Thousand Dollars (115,000.00), said price being the highest and best offer made for the real estate hereinafter set out and described since said real estate was, on March 16, 1972, declared by this Common Council to be surplus property and not needed by the City of Bloomington.

The real estate heretofore referred to is located in the City of Bloomington, Monroe County, State of Indiana, and is described as follows:

Part of the East fractional lot number 354 in the City of Bloomington, Indiana, described as follows: Beginning at the Northeast corner thereof; running thence South 139 feet; running thence West 49 feet; running thence North 139 feet; running thence East 49 feet to the place of beginning.

Also, part of the East fractional lot number 354 in the City of Bloomington, Indiana, bounded and described as follows, to-wit: Commencing at the Northwest corner of said fractional lot; running thence South 139 feet to an alley; running thence East 51 feet; running thence North 139 feet; running thence West 51 feet to the place of beginning.

BE IT FURTHER RESOLVED, that the written offer of Paul B. May dated September 14, 1972, to purchase the above described

real estate at and for said purchase price of One Hundred Fifteen Thousand Dollars (\$115,000.00) should be, and the same hereby is, accepted according to the terms of said Offer to Purchase Real Estate, which Offer to Purchase Real Estate is incorporated into this Resolution, and made a part thereof with the same force and effect as if set out in full in this Resolution.

Dated this 6th day of October 1972.

Charlotte T. Zieflo
Charlotte T. Zieflo,
President Common Council

ATTEST:

Grace E. Johnson
Grace E. Johnson, City Clerk

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



OFFER TO PURCHASE REAL ESTATE From the City of Bloomington, Indiana

To Richard P. Letsinger, Realtor Bloomington, Indiana

September 14, 1972

The undersigned, hereinafter called purchaser, hereby agrees to purchase from the owner, hereinafter called the seller, through you as broker, the real estate known as No. E. Kirkwood & Dunn St., in the City (or town) of Bloomington, County of Monroe, State of Indiana, the legal description of which is:

As described in the title and abstract and deed of record; i. e., 100 ft. on the south side of East Kirkwood and 132 front feet on South Dunn Street (Corner of East Kirkwood and Dunn Streets the city now owns).

and to pay as the purchase price therefor the sum of ONE HUNDRED FIFTEEN THOUSAND AND NO/100 DOLLARS (\$115,000.00)

payable as follows: ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) as earnest money deposited with the broker herewith, which shall be applied on the purchase price at the closing of this transaction, and the balance of the purchase price shall be payable in accordance with Paragraph 1 & 4 as hereinafter set forth:

PARAGRAPH 1 (SALE BY DEED) The balance of the purchase price shall be paid in cash upon delivery of warranty deed.

PARAGRAPH 2 (SALE BY DEED ASSUMING NO MORTGAGE) A down payment of DOLLARS (\$) of which the earnest money is a part, subject to a mortgage now of record in unpaid amount as of 19 of DOLLARS (\$) annual interest at % monthly payments of \$ including principal and interest which the grantees agree to assume and pay.

PARAGRAPH 3 (SALE BY CONTRACT) The balance of the purchase price shall be paid as follows: A down payment of DOLLARS (\$) of which the earnest money deposit shall be a part, and the balance of DOLLARS (\$) shall be paid under the terms of the approved Indiana Real Estate Association, Inc., form of LAND CONTRACT to be executed by the parties at the closing of the transaction, the interest rate therein to be % Monthly payments of \$

PARAGRAPH 4 (SALE ON OTHER BASIS) If neither Paragraphs 1, 2, or 3 is applicable, then upon the following terms:

This is an alternate offer if the city decides not to sell the entire tract located at East Kirkwood and Dunn and East Fourth Streets. Also subject to purchaser obtaining sufficient financing for land and project within six months from acceptance of this offer to purchase. Purchaser to demonstrate at various times during the six months that he is diligently trying to accomplish the financing.

Purchaser shall have complete possession on completion of transaction Failure by seller to surrender possession on date of delivery of deed or land contract shall not make the seller a tenant of purchaser, but in such event seller shall be obligated to pay purchaser \$100.00 per day as liquidated damages for each day seller holds over, and this provision shall not deprive purchaser of any other legal or equitable remedy available under the law.

Rents, if any, and interest on mortgage indebtedness, if any, shall be prorated as of date of closing. Insurance shall be (prorated) (cancelled) as of date of closing. Taxes shall be prorated as of the date of closing, that is to say, seller shall be charged with and pay taxes on said real estate payable in the current year and for that portion of taxes payable the following year calculated as of the date of closing, and purchaser shall pay all taxes subsequent thereto. Seller shall be charged with and shall pay all delinquent payments on assessments for public improvements, if any, and all payments on such assessments currently due. Purchaser shall pay all assessments for public improvements becoming payable and becoming a lien after date of closing.

Purchaser shall be furnished, at seller's expense, a complete and merchantable abstract of title continued to date as quickly as the same can be prepared, said abstract to show a merchantable or insurable title to said real estate in the name of the grantors who will execute and deliver a general warranty deed (or contract of sale if so specified herein) conveying said real estate (or in the case of a contract of sale, agreeing to convey) in the same condition as it now is, ordinary wear and tear excepted, free and clear of all liens and encumbrances except as stated herein and subject to easements or restrictions of record, if any. However, if sellers have Owners Title Insurance, in that event purchasers shall be furnished, at sellers' expense, an Owners policy of Title Insurance in the amount of \$115,000.00. Should additional time be required for making or continuing such abstract, or for correcting defects of title, reasonable extension of time shall be given.

This transaction is to be closed within 20 days after said abstract showing merchantable title or binder for title insurance is delivered.

This offer is void if not accepted in writing on or before 12:00 o'clock noon of 6th day of Oct, 1972. This purchase includes such lighting fixtures, window shades, venetian blinds, curtain rods, linoleum cemented to floors, storm sash, screens, awnings, fences, clothes poles, laundry tubs, shrubbery, traverse rods, drapery cranes, water heater, gas burner, oil burner, stoker, heat regulator, water pump, sump pump, pressure tank, water softener, towel racks and bars, door bells or chimes, lattices, television tower, antenna and rotor now installed or in use on the premises. Seller guarantees that all of the above accessories or appliances are fully paid for or will be fully paid for, at the final closing of this transaction, unless otherwise herein stated.

The risk of loss or damage to improvements on said real estate or a substantial portion thereof by fire or otherwise, until delivery of deed or contract, is assumed by seller, and if all or a substantial portion of said improvements are so destroyed or damaged prior to execution of said deed or contract of sale, this agreement at the time of the purchase shall not be binding upon the purchaser, and in such event any earnest money deposited shall be returned to the purchaser.

proposition is not accepted. In the event this proposition is accepted, and purchaser shall, without legal compulsion, or refuse to complete the purchase of said real estate in accordance with the terms and conditions hereof, said earnest money deposit shall be retained by the broker under his listing contract with said seller and shall be applicable to the broker's and the seller's damages, but seller may also sue for specific performance or pursue any other legal remedy available to seller under the law.

It is expressly agreed that all terms and conditions of this contract are included herein, and no verbal agreements of any kind shall be binding upon the parties, and this contract shall be binding upon the parties hereto, their heirs, administrators, executors, successors and assigns.

FURTHER CONDITIONS: 1. Subject to the property being zoned for the land use intended for the purchaser. 2. Subject to the issuance of the building permit by the city of Bloomington, Ind. 3. Subject to the city giving the purchaser six months from date of this acceptance of this offer to purchase and to accomplish the above requirements. This offer to purchase represents an alternate purchase agreement should the purchase agreement for the entire tract not be accepted and if the purchase agreement for the entire tract is accepted, this offer becomes null and void. This agreement shall be considered as purchase agreement #1 ALTERNATE.

The broker hereby acknowledges receipt of said earnest money deposit in the amount of \$1,000.00
Richard P. Letsinger
By Richard P. Letsinger (Broker) ~~Richard P. Letsinger~~

Paul E. May
Paul E. May Purchaser
Address (of Purchaser) Tel. No.

As the owner and seller of the property described herein we hereby accept the foregoing Offer to Purchase this _____ day of _____, 1972, and agree to sell in accordance therewith and to pay to Richard P. Letsinger Realtor and licensed broker the sum of Six thousand nine hundred and no/100 -----Dollars (\$6,900.00) commission for his services rendered in this transaction.

Seller
Address (of Seller) Tel. No.

OFFER TO PURCHASE
REAL ESTATE
APPROVED FORM
MADE BY

Purchaser
Purchaser
TO
Seller
Seller

REALTOR

Approved by
STANDARD FORMS COMMITTEE
of
INDIANA REAL ESTATE ASSOCIATION, INC.
Copyright 1973