

In the Council Chambers of the Municipal Building, at 8:30, p.m., E.S.T., on Thursday, October 26, 1972, with Council President, Charlotte Zietlow, presiding.

SPECIAL MEETING  
COMMON COUNCIL  
CITY OF BLOOMINGTON,  
INDIANA

PRESENT: James Ackerman, Richard Behen, Wayne Fix, Sherwin Mizell, Jack Morrison, Alfred Towell, Charlotte Zeitlow.

ROLL CALL

ABSENT: Hubert Davis, Brian De St. Croix

Mayor Francis X. McCloskey; Ted Najam, Assistant to the Mayor; Martha Sims, Controller; James Register, Corporate Counsel; Grace Johnson, City Clerk; Peggy Tuke, Deputy City Attorney; Danny Fulton, Director of Redevelopment; Tom Pugsley, Cost Estimator; Stewart Reller, Senior Planner; Marvard Clark, Assistant City Engineer.

CITY OFFICIALS PRESENT

Approximately 60 people including members of the press.

OTHERS PRESENT

Councilpresident Zietlow announced that this special meeting of the Council had been called by the Mayor to consider the CBD Neighborhood Development Plan resolution.

MEETING CALL

Councilman Towell noted that at the October 19, 1972 meeting of the Council, Resolution No. 72-62 was tabled until the next regularly scheduled Council meeting, November 2, 1972. Councilman Towell moved that the rules be suspended to permit consideration of Resolution No. 72-62 at this meeting. Councilman Morrison seconded the motion.

SUSPENSION OF THE RULES

Councilman Towell pointed out that a motion to suspend the rules requires a unanimous vote of those present.

The question was called. THE MOTION TO SUSPEND THE RULES WAS PASSED BY A ROLL CALL VOTE OF Ayes 7, Nays 0.

Councilman Towell moved that Resolution No. 72-62 be removed from the table. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Councilpresident Zietlow said that discussion of the resolution would be governed by the following rules: a time limit of 3 minutes for each speaker from the floor, speakers in favor of the resolution would alternate with speakers against the resolution, each speaker would be allowed to speak only once until everyone who wanted to speak had a chance to do so.

Grace Johnson read Resolution No. 72-62 for the information of everyone present.

Councilman Towell asked for clarification as to whether the resolution was a general form for all NDP programs or was prepared specifically for the Bloomington CBD NDP.

Danny Fulton explained that the resolution before the Council was an endorsement of the action previously taken by the planning and redevelopment commissions.

Councilman Towell said that it was his opinion, as parliamentarian, that it would require a vote of 75% of the Councilmembers present to overturn the action of the Plan Commission.

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Mayor McCloskey addressed the Council. He noted that the City is at a critical juncture with regard to the overall policies of the City in dealing with the Federal Government. He said that the City would soon be seeking federal funding for a sewage expansion project; with 75% federal funding it would be possible to undertake a major sewage expansion program without having to resort to high rates. Mayor McCloskey spoke in favor of the CBD NDP program, noting that the old library site is well suited for a major community development because of its central location. He said that the latest rehabilitation cost is \$46,000 to \$69,000 just to bring the building up to standard. The Mayor said that in his opinion the library is a rather common piece of architecture which is not worth the rehabilitation cost. He asked the Council to reconsider their earlier action to table the resolution dealing with the CBD NDP.

Councilman Behen said that, in his opinion, the gift from Andrew Carnegie was the old library which was a stepping stone to the large, beautiful Building which currently houses the Monroe County library. He said he did not think that the old library itself was so important as was its function as a "stepping stone" to the present facility.

Councilman Towell asked that Mr. Fulton restate the deadlines that the Council is operating under. He explained that the November 15 deadline resulted from the Miller Drive vote to not have NDP in that area; HUD gave the City the extension to permit preparation of a first year plan for the CBD.

Councilman Fix said that the Campus Cab Co. was concerned about how much money they will get for relocation. Mr. Linder, Vogt, Sage and Pflum, explained that HUD guidelines prohibit them from discussing specific relocation costs with specific individuals before the program is underway. He said that there is money specifically allocated for relocation costs and, in addition, the contingency funds which total 10% of the budget, can be used for relocation. A representative of the Campus Cab Co. said that they were concerned that they had not been given a specific dollar figure at this point but said they were willing to go along with the program, on the assumption that their relocation payments could be satisfactorily worked out.

In response to a question from Councilman Morrison, Mr. Linder said that \$290,000 is allocated for land acquisition in the CBD.

Edwin Tjardes, Chairman, Central Development Association, read the following statement to the Council:

"The Central Development Association has been officially recognized as the Project Area Committee for the Central Business District of the City of Bloomington. This recognition was provided by the Common Council last year.

"Since the inception of the Neighborhood Development Program numerous meetings have been held to discuss the NDP as it affects the Central Business District. At one of the first meetings there were a number of ideas and projects which were considered and discussed. These included minor and major items which can work for the development and improvement of the heart of the City. These items and suggestions includes such topics as additional off-street parking, both short-term and storage parking, bicycle racks for bicyclists, beautification, pedestrian walk-ways, rehabilitation of deteriorating buildings, demolition of dilapidated buildings, remodeling and improvement of existing business structures. In all of the discussions, the prime attention for the immediate, short-range needs centered around additional off-street parking.

Over the past ten years there have been no additional off-street parking areas created for the convenience of the citizens of the community in the central area of the city. As a matter of fact, the existing public off-street parking areas have actually decreased. In the same period of time, total retail sales in the City of Bloomington have more than doubled from \$63,900,000 in 1963 to \$156,300,000 in 1971. This fantastic increase certainly

indicates the need for more parking space as more and more consumers come into the area for their needs.

"The central business district represents a considerable financial investment in the community. At the same time it represents a considerable tax revenue to the City of Bloomington and Monroe County. The latest assessed valuation figures for the properties in a small area - around the Monroe County Court House and one block off the 'square' - show a total of \$2,404,155. This property is almost entirely composed of commercial buildings and very little off-street parking. At the same time, the assessed valuation of the College Mall Shopping Center and Ayr-Way, for just the buildings, is set at \$1,267,495. The land and buildings at the College Mall Center, including Ayr-way, is assessed for a total of \$1,943,855. Based on 1972 tax rates the Central Business District area cited yielded almost \$260,000 in local taxes (\$259,889) while the College Mall-Ayr-Way complex yielded \$207,000 (\$207,018).

"At the last formal meeting of the Central Development Association PAC, to which more than 400 people were invited by written letter, more than 50 people attended, representing, as nearly as we can tell, a broad cross-section of the area - property owners, tenants, merchants, residents, etc. There was a lengthy discussion of the NDP program as it affected the Central Business District. It was finally agreed, by a show of hands, that the PAC should recommend to the various bodies of the City of Bloomington which had to deal with this program, the program which you have been asked to vote on.

"There was only one hand which was raised in objection to the proposed program. This was an individual who was not a resident of or had any economic investment in the affected area. There was only one other statement made, by an individual from the area, who asked for some consideration about the Monroe County Library site. This indicated an almost complete, unanimous agreement to proceed with the proposed program.

"There are a number of advantages to this proposed program, as we see it.

"1. This program will provide a start toward a balanced parking program for the benefit of the citizens who need to and who desire to come into the central part of the city.

"2. The program provides for a minimum of relocation of existing businesses and people in the two areas.

"3. The sites are the only ones, to our knowledge, which can be quickly acquired with the limited allotted funds which are available.

"4. The sites fit into the current and long-range plans and thinking, as we understand them, of the City of Bloomington and the Central Business District.

"5. Under a program such as this, more attractive parking facilities can be developed with proper landscaping and treatments.

"6. More off-street parking can help to relieve the pressures of on-street parking thus returning the streets to their original purposes - the movement of traffic and short-term parking.

"If this program is approved, it will be the first step in a long-range program of working with the City government and others in the development of a shopping and business center for the benefit of all the citizens of the community.

"We feel that the business and professional community in the Central Business District has shown its faith in the future of the Central area of the city through continued upgrading of their places of business. In addition, this faith has been evidenced by the property owners around the Court House expending large sums of money, voluntarily, to pay for the installation of new sidewalks in the area. These new sidewalks cost the property owners an average of about \$2.96 per lineal foot. The trees

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which have been planted around the square were also paid for by funds supplied by the merchants and property owners at a cost of about \$75.00 per tree. In addition, 11 merchants have voluntarily invested more than \$23,000 in the past year in leasing the property at Seventh and College, raising the buildings on them, paving the lot and turning it into a new parking lot for the convenience of the citizens of the community. Further, the lot at 7th and Morton Streets has been, or will be, tied up with private capital to reserve it for parking.

"With these two quarter blocks, the proposed quarter block at 6th and Morton, and the proposed quarter block at 6th and Washington, we will have created in a few short months the equivalent of one full city block of additional off-street parking - the first major addition to off street parking in the City of Bloomington for public use in about ten years.

"At the present time we have not had the time or the expert assistance to develop long range priorities and goals, but we fully expect that, if this program is approved, we will be able to develop these priorities and goals in consultation with the consultants, the Redevelopment and Planning Departments of the City, and the Common Council.

"We respectfully request, in fact we urge, the Common Council to approve the first year plan for this program. They have been approved by the CDA PAC, the Redevelopment Commission and the Plan Commission. If this program is approved we pledge to continue to work with the Redevelopment Department and the Plan Commission, as well as the Common Council, to develop the Central City area into a vital, viable and beautiful section of the community."

Councilman Morrison said that he would like to see a sentence added to the statement that the downtown PAC would see that all parking lots will be landscaped. Mr. Tjardes said that this was acceptable to him.

James Dorr, President, East Central Neighborhood Association, read the following statement to the Council:

"The night before last I was talking with an employee of the City, one presumably loyal to the Administration on this matter. In the course of conversation I was asked if the East Central Neighborhood was willing to gamble on the chance of the City's losing millions of dollars of federal funds to save the library.

"I gave the only honest answer I could give. We are not gambling with federal funds. It is the City Administration which caused PAC officials to drop a non-controversial acceptable-to-almost-everyone-concerned first year project in favor of a plan that would encounter citizen resistance that has taken the gamble. I think that some of you have been intimidated. You have been told that if you vote against the project, and HUD subsequently refuses to extend the deadline, you will be guilty of having lost Federal money the City could have had.

"That is not true. If Federal money is lost the fault lies squarely with the City Administration. I hope everyone in this room realizes that and, in view of the Administration-generated misinformation I referred to earlier, I hope the press will make sure to point out where the blame, if there is blame, lies for anything that happens tonight."

Mr. Dorr suggested that the preservation of the old library could be made a part of the second year activities. In response to a question from the audience, Mr. Dorr said that there are about 20 active members of the East Central Neighborhood Association and 6 members were at the meeting at which the following statement was drafted. The following was read into the record by Grace Johnson, City Clerk:

"October 24, 1972

"Members of the Bloomington Common Council:

"I am writing on behalf of the East Central Neighborhood Association to thank those members of the Common Council who, remembering their pre-election commitments to reasoned planning, voted to postpone action on the proposed Downtown NDP parking lot acquisition plan.

"The plan, involving one quarter block behind the Fireside Hotel and one quarter block where the old library building now stands, was to our knowledge never worked out with the Downtown Project Area Committee. Rather, it represents a modification, unilaterally agreed upon by only the PAC executive committee, of the originally voted upon plan to acquire the half Block behind the Fireside. The library lot was not included. The vote at the recent PAC meeting was never intended to be more than a sense of the meeting go-ahead on some first year project. My request that there be a vote on the merits of the modified plan vs. the original plan, the only plan chosen and approved by the PAC as a whole, was refused.

"The East Central Neighborhood Association therefore questions whether any real planning with an eye toward the real needs and desires of the Central Business District and surrounding area communities, as opposed to just the City Administration's desire to acquire the old library site as a Federal freebie, is going on. The only study cited at the PAC meeting to justify the library site acquisition for parking was the Vorhees study, which, as we recall, was not only woefully superficial but also applied only to parking needs for a proposed Kirkwood Avenue pedestrian mall and, hence, is not relevant to the needs that concern the Downtown PAC. We note further, in response to the alleged need for 'balanced parking' (whatever, precisely, that means), that there are plans for an east-of-Walnut lot on the corner of 4th and Dunn--also a prime location according to the Vorhees report.

"We finally note that the old library itself has some historical significance. It also adds to a pleasant architectural variety in our neighborhood which East Central residents prize. The thought of the view which would be open to us if the old library were removed is not appealing.

"We do not insist that the old library building is so fine that there could not be some use, of benefit to the neighborhood and the entire community, which could justify loss of the building. We do not, however, believe that the addition of another parking lot is sufficient justification.

"We also note, with some apprehension, that another parking facility on 6th Street may well have a deleterious effect on traffic patterns in our neighborhood, and we urge that the Plan Department be allowed to bring in at least a preliminary report on its proposed traffic and transportation study before plans, with possible adverse effect on the East Central Neighborhood, are carried out.

"It is with some sadness that we note certain misconceptions in newspaper reports following the last regularly scheduled Common Council meeting.

"In the Courier-Tribune dated Friday, 20 October, Mayorial Assistant Ted Najam is quoted as saying that HUD 'extended the deadline on the Miller Drive vote because the citizens had protested... But this time it's totally different -- the citizens aren't protesting, a governmental body is.'

"This statement, if correctly quoted, is at best highly inaccurate. At the previous PAC meeting, at which Mr. Najam was present, the East Central Neighborhood Association, representing citizens in the downtown area, did in fact protest the acquisition of the old library site for parking. The proceedings of that meeting were recorded.

"In the Herald-Telephone of the same date the Mayor is quoted as saying that 'this administration is committed to citizen participation.

but those citizens most affected, the Central Business District Project Area Committee, have been rebuffed by the Common Council. The inconsistency is inescapable after we have gone to great lengths in the Miller Drive area to assure neighborhood support for their program.'

"What inconsistency! Or are those who live, rather than own or manage businesses, in the project area or right next door considered not to be affected, not to have the right to a voice? The PAC allows us to participate, allows us to have our views known. Cannot the city administration afford us the same courtesy?"

"The most sense reported in the M-T article came at the very end where Redevelopment Director Danny Fulton suggested that the 'the downtown PAC might reconsider the site choice in its plans.' We ask that the Common Council on such a reconsideration to bring back the original, and PAC approved, plan, to acquire the half block just west of the Fireside, before giving its approval to the project. It was admitted at the recent PAC meeting, where we made just such a request, that no difficulties had arisen to prevent carrying out the original plan.

"The East Central Neighborhood Association wishes to stress that it approves of the Downtown NDP program in principle. It wishes it to be on the record that it asked PAC leaders to return to the original, and mutually acceptable, first year development plan. The East Central Neighborhood Association wishes to work with the Downtown PAC, hopefully in an atmosphere of freedom and lack of pressure from city administration forces, for projects of lasting benefit to the Downtown and East Central area and to the community at large.

"Our interest in a better Bloomington--as we are sure does that of the of the downtown merchants--extends far beyond the common area of our overlapping borders.

"Signed, James Dorr, President, East Central Neighborhood Association."

Marien Gottfried addressed the Council. She said that she thought the CBD NDP proposal was a perfectly valid proposal which can be defended on its merits. She said the plans will help stabilize the downtown area. Mrs. Gottfried said she supports tearing down the old library because, in her opinion, the building is "downright ugly". She noted that it is a small building and if the building were rehabilitated, it would still be a small, ugly building. She said, "As a taxpayer I object to having tax resources used for such a rehabilitation project." She said that, in her opinion, the choice before the Council was to approve or disapprove the CBD plan; the question of whether the Council can use cumulative capital funds for acquiring the library site should not be a part of the decision.

Mrs. Ellie Barnstone addressed the Council. She suggested that the library be rehabilitated, and made into a community arts center. Councilpresident Zietlow said that she did not think that the City could get federal funds for such a project; she said that she understood that the City could possibly anticipate getting somewhere under \$5,000 in federal funds for programs for a community art center but not for buying or rehabilitating the building. She said that she thought such a project would be a good one for the community if funds were available.

Councilman Behen said that he wanted to remind the Council and the audience that the library board will put the site up for sale on the open market if the City does not approve acquiring the site with NDP funds. He said that if it goes up for sale it could be purchased by a private individual and this would mean the City would have absolutely no control over the use of the site. He noted that the City could acquire the site with cumulative capital funds or with the NDP program.

Councilpresident Zietlow said that if the City uses cumulative capital funds that would mean that much less money for street resurfacing, sidewalks, etc.

John Temple, a downtown merchant, addressed the Council. He spoke in favor of the downtown program, noting that parking is a definite problem in the downtown area. He also said that parking is something that everyone wants but not near them. He said that if the recommendation of the eastside organization that the lot on Morton Street be purchased, people over there would object.

Mrs. Mary Baker addressed the Council. She objected to the Council's action, stating that she did not think they were acting according to HUD guidelines. Mr. Linder said that, to the best of his knowledge, the City had followed all of the HUD guidelines and that they had been in constant contact with the HUD officials in Indianapolis.

Mr. George Calvert addressed the Council, speaking in favor of the program. He said he thought it was a good program for the downtown area.

Mr. Ernie Cassal, Manager of the Bloomington J.C. Penney store, addressed the Council. He said that he has worked in several different communities and that, in his opinion, Bloomington has a good, strong downtown area. He said that it should be made stronger by expansion of parking and other activities. He said that he thought the vitality of the downtown should be reinforced.

Victoria David, Secretary of the Historical Preservation Committee, read the following statement:

"The Historical Preservation Committee of the Bloomington Environmental Commission met at the residence of Dr. Warren Roberts on October 24, 1972. The primary purpose of the meeting was to develop a position statement regarding proposed plans for razing the former Monroe County Library. After lengthy deliberation, the following position statement was agreed to for presentation to the Bloomington City Council.

"Whereas this committee wishes to maintain a 'parklike' atmosphere in Bloomington, creating an 'attractive, stimulating, and human urban environment';

"Whereas the former Monroe County Library and its grounds contribute much to this desired atmosphere;

"Whereas parking lots on all sides of downtown Bloomington (as the proposed plans tend to promote) would create a void and a psychological barrier for Bloomington citizens;

"Whereas alternative parking lot sites are available;

"Whereas the old Monroe County Library has both architectural and historical significance in Bloomington;

"Whereas the citizens of the entire county are directly or indirectly concerned with the fate of the library; and

"Whereas rehabilitation and preservation must be established as essential to a present and future redevelopment program,

"Therefore we wish to recommend that--

"1. The half-block site between Sixth and Seventh Streets on Morton Street be acquired, or, failing this, that

"2. The library site be acquired, with a minimum of two months delay before demolition, to allow time for a use for the building to be found."

Councilman Morrison noted that Bloomington has, at present, no historical ordinance or resolution on which the Council could base action.

David Docauer said that he was encouraged to hear talk of saving the trees on the library site but that it may not be a simple matter. Mr. Docauer, Crisis Biology, said that the roots of the trees may extend out as far as the "umbrella" - the branches of the tree. He said that no costs of putting in the parking lot had been made public.

Danny Fulton said that unofficial estimates given for the demolition of the building had been given at \$2,000 and \$3,000, depending on the method of demolition used.

Mr. Linder said that putting in a parking lot is estimated at about \$12,000.

In response to a comment made by Mr. Docauer, Mr. Fulton said that no environmental statement was included in this CBD plan, which is a revision of the earlier plan. He said that environmental statements were submitted with the original application and these were for the total areas involved, not lot by lot.

In response to a question from Councilman Ackerman, Mr. Tjardes said that their intent was to preserve the trees as much as possible. He said he would defer on the specific design of the parking lot to the redevelopment department's recommendations.

Mary Ellen Farmer addressed the Council. She spoke against tearing down the library. She said that it may be the fault of the preservationists for not having spoken sooner but that she hoped some means could be found at this time for preserving the library.

Bruce Tone, a resident of the area adjacent to the library site, addressed the Council. He said that he supported Mr. Dorr's statement and objected to having the library torn down.

Mrs. Farmer said that she was 100% behind the downtown area but hoped that the success of the downtown was not dependent on one parking lot.

Mr. Tjardes said that no one had said that one parking lot would make or break the downtown area but that this was a part of a larger plan for revitalizing the downtown area.

Mr. Barnstone addressed the council, speaking in support of the proposal for a community arts center, if some way could be found for funding it.

Councilman Morrison said that he hoped that the downtown merchants might see their way clear to do some landscaping and beautification on lots other than those specifically involved in the NDP program. He suggested that existing parking lots might also be landscaped.

Councilman Towell said that the testimony presented during this Council meeting is the kind of testimony he would have liked to have had before the Council was right under the deadline. He said he did not think that the Council really had much choice in this particular matter. He said he hoped that the Council would not, in the future, be caught with this kind of deadline problem; he hoped that other NDP business would be brought before the Council with adequate time for discussion of the sort that had gone on at this meeting.

Council president Zietlow read the following statement from Councilman De St. Croix:

"My apologies for not being present this evening. A prior commitment makes my attendance impossible.

"After consideration of the CBD NDP I find myself in support of the program. I am not pleased with the impending demolition of the library, however, I see no viable alternative. I do hope assurances will be given to protect the trees that now stand on the lot.



"I would like to encourage the CBD PAC to involve residents from the adjoining areas in an advisory capacity and citizens in the community at large in their attempts to revitalize the downtown area. Although the CBD merchants make up that PAC, I believe that, unlike other NDP target areas, the CBD truly belongs to all the people."

Danny Fulton said that, while there may be some merit to the idea that the CBD PAC should include the entire City, this was not mentioned before and the preliminary planning and application preparation and submission were carried out with the CBD PAC as it is now constituted, with persons living or owning businesses in the area.

Councilman Morrison said that there has been citizen input in the downtown program from the CBD PAC and that the Council should keep that in mind.

Councilman Behen said that he wanted to assure the public that he had not been intimidated by the city administration and he did not think that any other members of the Council had either.

The question was called.

RESOLUTION No. 72-62 WAS APPROVED BY  
A ROLL CALL VOTE OF Ayes 7, Nays 0.

Councilman Mizell explained his vote, saying that he was frustrated by the time limit placed on the application and on the time available to the Council for consideration of the plans. He said the latitude of Council action was seriously limited. He noted that the choice facing the Council was between programs for people and saving a building and that he would have to vote for people over the building and was therefore voting in favor of the resolution.

Councilman Fix qualified his vote in favor of the resolution by saying that he hoped that point number 2 of the statement presented by Victoria David could be implemented, thereby giving interested citizens two months to develop alternative uses for the library site. Councilman Fix said that he would arrange for some foresters to come down from Purdue to look at the site and make recommendations on what needs to be done to save the trees.

The meeting was adjourned at 10:45 p.m., E.S.T.

ADJOURNMENT

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

ATTEST:

*Amy G. Mann*  
Amy G. Mann, Secretary

A RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, APPROVING THE ORDER OF THE PLAN COMMISSION CONCERNING THE APPROVAL AND SUPPORT OF THE NEIGHBORHOOD DEVELOPMENT PROGRAM, CENTRAL BUSINESS DISTRICT DEVELOPMENT AND FIRST YEAR ACTION PLAN.

WHEREAS, the Plan Commission of the City of Bloomington, Indiana, on October 17, 1972, passed a resolution approving the Neighborhood Development Program, Central Business District Development and First Year Action Plan; and

WHEREAS, it is provided that contracts for financial assistance under the Neighborhood Development Program for the respective project area be approved by the governing body of the locality in which the project is situated and that such approval include findings by the governing body:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE City of Bloomington, Indiana:

1. That financial aid to be provided is necessary to enable the project involving the Central Business District Development and the First Year Action Plan in accordance with the Neighborhood Development Program.
2. The Neighborhood Development Program will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the Neighborhood Development Program area by private enterprise.
3. The Neighborhood Development Program conforms to a general plan for development of the locality as a whole.
4. The Neighborhood Development Program gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.
5. That the approving order issued by the Plan Commission is approved by said Common Council.

Adopted this 26 Day of October, 1972.

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

ATTEST:

Grace E. Johnson  
Grace E. Johnson, City Clerk

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