

REGULAR MEETING

THE COMMON COUNCIL of the City of Bloomington, Indiana, met in the Council Chambers in City Hall on Thursday, July 2, 1964, at the hour of seven thirty o'clock (7:30 P.M.) E.S.T. in regular session with Mayor John H. Hooker, Jr. presiding.

Meeting called to order by Mayor John H. Hooker, Jr.

Meeting opened with invocation by Councilman Johnson.

Members Present: Councilmen - Fee, Johnson, Moulden, C.Day, H. Day, Faris & Derge

Also Present: Mayor - John H. Hooker, Jr.  
City Attorney - James Cotner

Members Absent: City Engineer - Raymond Long

A roll call of the Councilmen was taken by the Clerk-Treasurer.

Councilman Faris moved, seconded by Councilman Johnson, that minutes of the June 18, 1964 Meeting be approved as amended, distributed and read individually. Motion carried unanimously.

Mayor Hooker called for the reading of proposed Appropriation Ordinance 64-2.

Clerk-Treasurer read proposed Appropriation Ordinance 64-2.

Appropriation Ordinance 64-2 was referred to Councilman Fee and his Committee for further study.

Councilman Fee moved, seconded by Councilman Faris, that proposed Appropriation Ordinance 64-2 be published in two newspapers and be presented for second reading and public hearing at the next regularly scheduled meeting of the Common Council on August 6, 1964.

Mayor Hooker called for the reading of proposed Ordinance 64-14.

Clerk-Treasurer read proposed Ordinance 64-14.

Councilman Fee presented an amendment to the proposed Ordinance, which he asked Clerk-Treasurer to read.

Clerk-Treasurer read amendment to proposed Ordinance 64-14.

Councilman Fee moved, seconded by Councilman Derge, that the amendment to the proposed rezoning ordinance be made.

Councilman Fee explained the purpose of this amendment is to insure that the restrictions in the platted subdivision referred to here, will not be violated and this area shall be used in the manner in which it is intended.

City Attorney Cotner stated that this proposed amendment was illegal and invalid, because we cannot make a conditional rezoning. This Council cannot tie up what Councils in the future might do. If this Council does not feel that a road should not go in there, then they can so state that this Council feels that a road should not go in across these lots.

Councilman Derge asked if this entire ordinance was invalid or just the amendment they were trying to attach.

City Attorney Cotner stated that the entire ordinance is illegal in that it would be questioned by the loaning concerns dealing with the apartment building. He further stated if this ordinance is adopted the three following problems will arise.

1. You would be doing something, which you have no authority to do - this is attach a condition which you think is right.
2. Particular difficulties in financing the apartments.
3. The Council cannot declare that there will never be a street at a certain place, because another Council in the future may not feel this way.

Attorney Horace Karsell, representing the Lusk Corporation, stated that the Lusk Corporation, contract buyers of these two lots and the owners of the fee simple title are willing to accept the offer of the Bloomington Development Corporation to sell the lots back to the Bloomington Development Corporation - they want to do whatever the City orders.

The proposed amendment was not acted upon, therefore it was defeated.

Councilman Moulden reported that his Committee recommends this land be rezoned from the present R-1 to R-3.

Councilman Harry Day stated that he felt we would be very wrong in not going through with this proposed rezoning, because we would be interfering with the growth of the City of Bloomington. He further stated he felt this was a good area for the apartments and that it would not effect the residents of the Park Ridge Addition.

Councilman Derge stated that we are faced with an unplanned and unrestricted land use. The City has no effective control over county land.

Councilman Clyde Day stated he felt this proposed ordinance was a good idea.

After two hours of discussion between the following Park Ridge Residents, Mr. Mason Atwood, Mr. Jim Thomson, Mr. Milton Martin, Mr. Don Rose, Mr. Coty, Mr. Ronald Shaffer, Mr. Shirley, Mrs. Hurt, Mr. Holland and Rev. Emerson, and the Council, we heard points of discussion in regard to the rezoning ordinance. We found their main objective was not the road as we were first lead to believe, rather they are against the whole idea of the apartments being in this area.

Mr. Frank Smith, commended Mr. Marvard A. Clark, Assistant City Engineer, Mr. Smith stated he felt Mr. Clark was very fair to all citizens concerned.

Councilman Johnson stated that all residents in Park Ridge Addition were not in agreement with this petition, they merely signed it because they felt an obligation to the neighbor passing the petition.

Councilman Harry Day asked Mayor Hooker to please explain to the citizens the procedure of ordinances.

Mayor Hooker explained that normally we read an ordinance for the first time then there is a two week interval and the second reading is then presented, unless there is an emergency on a particular ordinance, then we can suspend the rules and regulations and present the ordinance for first reading, second reading and passage all in the same night, which is not the case in this ordinance.

Mr. Richard Beikman, a resident from Fritz Terrace, and a member of Radio W.T.T.S. stated that if he had a problem he would not wait for his Council to call him, but rather he would call his Council, quite to the contrary of the residents of the Park Ridge area.

Mayor Hooker stated that we have control over only the areas within the corporate boundaries and we only have indirect control over areas outside the corporation and that is through the City utilities.

Mayor Hooker gave a report on the ordinance concerning the parking meters. He stated that basically, this was an ordinance proposed to bring in line the down town parking, in order to better the parking meter program.

1. Change the amount of the charge from 10 cents to 5 cents per hour.

2. Abandon the 25 cent meter fine for over parking and make it a flat \$1.00 rate.

The Mayor stated that he was afraid it would be six months instead of the reported ten days in the paper, since it will take that long to get the meter heads changed. He stated this would become effective on January 2, 1965 at nine o'clock (9:00 A.M.).

Councilman Derge asked to have this referred to Councilman Faris and his Committee for study.

Councilman Fee moved, seconded by Councilman Moulden that proposed Ordinance 64-15 be read by Clerk-Treasurer. Motion carried unanimously.

Clerk-Treasurer read proposed Ordinance 64-15.

Mayor Hooker stated that proposed Ordinance 64-15 would be referred to Councilman Faris and his Committee for further study.

Councilman Clyde Day stated he had two applications for street lights and after investigation by the Committee these were approved.

Councilman Clyde Day moved, seconded by Councilman Faris, that Clerk-Treasurer be instructed to order the Public Service Company to erect street lights at said locations.

1. Kingston Place on East Third Street, and
2. In the 1400 block on South Henderson Street.

Motion carried unanimously.

Reports were received on the activities for the month of June from the following City Departments.

- Police Department
- Sanitation Department
- Engineering Department
- Street Department
- Fire Department
- Redevelopment
- Water Department (Maintenance Dept. - Office Meter Service - Water Plants Division - Water Meter Report)

Mayor Hooker asked Col. Clifford Thrasher, of the Bloomington Police Department to give a report on the report of accidents for the first six months of this year compared to the same six months period of the last year.

Col. Thrasher stated there was a decrease in the number of accidents.

Councilman Fee asked that the next monthly report submitted have the total number of hours the radar is running.

Councilman Derge questioned Police Chief East about the times the emergency vehicle had been out on calls.

Chief East stated that the emergency vehicle had made 649 calls - 217 of these were outside the county, which is about 35 per cent and 45 runs were made to the I. U. Campus.

Councilman Clyde Day commended the Satellite Drive-In Restaurant for the very clean and neat way they keep their restaurant.

Mayor Hooker gave a brief report on the new water pump now in use.

Councilman Fee moved, seconded by Councilman Moulden, that claims presented for payment on July 3, 1964 be paid on July 2, 1964. Motion carried unanimously.

Councilman Moulden moved, seconded by Councilman Fee, that claims presented for payment July 3, 1964 be allowed as submitted. Motion carried unanimously.

Councilman Clyde Day moved meeting be adjourned.

Meeting adjourned at the hour of ten ten o'clock (10:10 P.M.).

John H. Harker Jr.  
Presiding Officer

Howard A. Young  
Clerk-Treasurer