

REGULAR MEETING

Tuesday, November 18, 1952

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in regular session in the Council Chamber at the hour of seven-thirty (7:30) P.M., with Mayor Kelly presiding.

Members present: Carpenter, Fowler, Griffith, McDaniel, Miller, Porter, and Ramsey

Members absent: None

The minutes of the regular meeting November 4, 1952, were approved by the Council on motion of Councilman Miller, seconded by Councilman McDaniel.

A petition was received from Dr. F. H. Austin, requesting permission to cut the curb in front of his property at 110 East Fourth Street, to provide access to the lot for parking, which will necessitate the removal of a parking meter. Councilman Fowler, as Chairman of the Committee on Streets, Alleys, and Bridges, reported that the Committee had already investigated this request, and found it in order. Mr. Fowler moved that permission be granted Dr. Austin to cut curb as requested, with the work to be done under the direction and supervision of the City Engineer. Councilman Porter seconded the motion; motion carried.

The report of L. M. Rogers, Superintendent of the Department of Sanitation, for the month of October 1952, was accepted by the Council on motion of Councilman Carpenter, seconded by Councilman Ramsey.

The report of J. N. Gilmore, Street Commissioner, for the month of October 1952, was accepted by the Council on motion of Councilman Fowler, seconded by Councilman Griffith.

The report of Horace Robertson, Chief of the Fire Department, for the month of October 1952, was accepted by the Council on motion of Councilman Carpenter, seconded by Councilman McDaniel.

Mayor Kelly called the Council's attention to the condition of the filling station property at 1023 South Walnut Street, owned by Ira Adams, and operated by Mr. Kerr. Since the situation at this location has not been taken care of satisfactorily, Councilman Carpenter moved the Mayor appoint a Committee to investigate and report to the Council at the next regular meeting. Councilman McDaniel seconded the motion; motion carried. Mayor Kelly therefore appointed to this Committee, Councilmen Lyle Fowler, W. L. Miller, and Herschel Griffith.

City Attorney McCrea advised the Council of a suit filed in Monroe Circuit Court by The Radio Corporation of America to close an alley in Dodds Second Addition where they propose to build in the expansion program for their plant. Councilman Carpenter moved the City Attorney be instructed to not resist this proposal to vacate the alley. Councilman Miller seconded the motion. Mayor Kelly requested a roll call vote, and the response was as follows: Ayes: Carpenter, Fowler, Griffith, McDaniel, Miller, Porter, and Ramsey; motion carried.

City Attorney McCrea presented for the consideration of the Council the following Resolution:

RESOLUTION

A Resolution wherein the Common Council of the City of Bloomington, Indiana, ratifies, approves, and confirms the action taken by Emmett Kelly, Mayor, and Esther F. Leavitt, City Clerk-Treasurer, President and Secretary of the Board of Public Works and Safety of the City of Bloomington, Indiana, respectively.

WHEREAS, The Board of Public Works and Safety of the City of Bloomington, Indiana, is in charge of the City Water Utility, and is responsible for the operation and maintenance of said Utility, including the Waterworks Improvement Program initiated in the Year 1951, and

WHEREAS, the Board of Public Works and Safety of the City of Bloomington, Indiana, entered into negotiations with the Illinois Central Railroad Company to compensate said Company for specific encroachment along said Company's property in Benton Township between Mile Post X-43.6 and Mile Post X-44.6, and

WHEREAS, after a series of negotiations, the Illinois Central Railroad Company prepared, in duplicate, a Contract Agreement to be signed by the City of

Bloomington, through its Mayor and City Clerk-Treasurer, acting for and on behalf of the Board of Public Works and Safety of the City of Bloomington, Indiana, which has been duly executed, and,

WHEREAS, the Legal Department of the Illinois Central Railroad Company had not been advised that the Board of Public Works and Safety of the City of Bloomington, Indiana, was the specific Body acting for and on behalf of the City's Water Utility.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

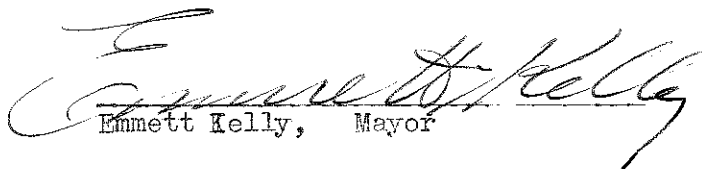
"That the action taken by Emmett Kelly, Mayor, and Esther F. Leavitt, City Clerk-Treasurer, President and Secretary of the Board of Public Works and Safety of the City of Bloomington, Indiana, respectively, by virtue of their offices, in executing a certain Contract dated September 18, 1952, be, and the same is hereby ratified, approved, and confirmed."

Councilman Miller moved the adoption of the Resolution confirming the action of the Mayor and Clerk-Treasurer in connection with the Contract Agreement with the Illinois Central Railroad Company; Councilman Carpenter seconded the motion; Mayor Kelly requested a roll call vote, and the response was as follows: Ayes: Carpenter, Fowler, Griffith, McDaniel, Miller, Porter, and Ramsey; Nays: none; motion carried, and the Resolution was unanimously passed and adopted.

Councilman Ramsey requested the re-reading of Ordinance prepared to amend the Bloomington Zoning Map dated July 18, 1950, reclassifying Lots Nos. 1, 3, 5, 7, and 9, in Bolman Place Addition, from R-3 Multiple Dwelling Zone to B-3 General Business Zone. After the Ordinance had been read, Councilman Miller moved the suspension of Rules so that the Ordinance might be considered at this meeting; Councilman McDaniel seconded the motion; motion carried. Councilman Miller moved the adoption of the Ordinance No. 11, 1952, amending the Bloomington Zoning Map dated July 18, 1950, to reclassify the Lots Nos. 1, 3, 5, 7, and 9, Bolman Place Addition, from R-3 Multiple Dwelling Zone to B-3 General Business Zone. Councilman McDaniel seconded the motion; Mayor Kelly requested a roll call vote, and the response was as follows: Ayes: Fowler, Griffith, McDaniel, Miller, Porter, and Ramsey; Abstained from voting: Carpenter; motion carried, and Ordinance No. 11, 1952, was declared duly passed and adopted.

Mr. Jim Nichols requested the Council to consider the surface water drainage problem at his location, 900 West Cottage Grove. Mayor Kelly referred the matter to the Street Commissioner and the City Engineer for investigation.

The meeting adjourned on motion of Councilman Carpenter, seconded by Councilman Porter.


Emmett Kelly, Mayor

ATTEST:


Esther F. Leavitt, Clerk-Treasurer

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