

In the Council Chambers, Municipal Building at 7:30 p.m., E.S.T., Thursday, November 6, 1969. Councilman Charles J. Faris presiding.

Council President Charles J. Faris

Acting Clerk Naomi Stapleton

Members present: Robert Clegg, Clyde Day, Harry Day, Charles Faris, Richard Fee, Robert Gray, and Ralph Johnson.

Members absent: James Clendening and Jack Morrison.

Council President Faris asked that the minutes show that Councilman Morrison was in Indianapolis on business and Councilman Clendening was still recuperating from a heart attack.

City Engineer Ray Long, City Controller Howard Young, City Clerk Marian Tardy, Chief of Police James East, Assistant City Engineer Marvard Clark, Ed Miller, Fire Chief; Clifford Curry, Director of Planning; Danny Fulton, Director of Re-development; Jerry Femal, Director of Parks and Recreation; Doug Hatton, President of the Board of Public Safety and Doran May, member of the Board of Public Safety.

Thirty including James Root, Reporter for Daily-Herald Telephone and Fred Hill, Reporter for the Courier-Journal.

Councilman Ralph Johnson.

Councilman Ralph Johnson moved that the minutes of the October 16th meeting be approved as copied and distributed. Motion carried unanimously.

None

Councilman Clegg moved that proposed Ordinance No. 69-45 be advanced to second reading and be read by the Clerk by title only. Motion seconded by Councilman Harry Day and carried unanimously.

The Acting Clerk read proposed Ordinance No. 69-45 by title only.

Citizens in the audience speaking against proposed Ordinance No. 69-45 were: Samuel Pleasant, Dencil Rich, Louise East, Mrs. Jack Skirvin, Kenneth Keller, Mrs. Jackson and two unidentified ladies. Statements made by these individuals in opposition to the proposed rezoning covered the disturbances in the neighborhood due to fights, noises, drag races, etc., the parking problem, and the fact that the petitioner for the rezoning does not take care of the buildings he now owns in the area.

REGULAR MEETING
COMMON COUNCIL OF THE
CITY OF BLOOMINGTON, INDIANA

CALL TO ORDER

ROLL CALL

OFFICIALS IN ATTENDANCE

NUMBER OF CITIZENS
IN ATTENDANCE

INVOCATION

MINUTES OF FORMER MEETING

REMONSTRANCES & OBJECTIONS

ORDINANCES ON SECOND READING

Ordinance No. 69-45

Councilman Clegg moved that proposed Ordinance No. 69-45 be adopted. Councilman Harry Day seconded the motion.

Roll call vote: ayes-0; nays-7.
Adoption of proposed Ordinance No. 69-45 is denied.

Councilman Fee moved that proposed Ordinance No. 69-46 be advanced to second reading and be read by the Clerk by title only. Motion seconded by Councilman Clyde Day and carried unanimously.

Ordinance No. 69-46

The Acting Clerk read proposed Ordinance No. 69-46 by title only.

Councilman Clegg moved for the adoption of proposed Ordinance No. 69-46. Motion seconded by Councilman Gray.

Roll call vote: ayes-7; nays-0.

Councilman Clegg moved that proposed Ordinance No. 69-47 be advanced to second reading and be read by the Clerk by title only. Motion seconded by Councilman Johnson and carried unanimously.

Ordinance No. 69-47

The Acting Clerk read proposed Ordinance No. 69-47 by title only.

Councilman Clegg moved for the adoption of proposed Ordinance No. 69-47. Motion seconded by Councilman Clyde Day.

Roll call vote: ayes-7; nays-0.

None

ORDINANCES GENERAL AND SPECIAL

Councilman Fee asked that the Clerk read proposed Resolution No. 69-25. The Acting Clerk read proposed Resolution No. 69-25 as follows: (H.I.)

RESOLUTIONS

Resolution No. 69-25

Councilman Fee moved for the adoption of proposed Resolution No. 69-25. Motion seconded by Councilman Johnson.

Roll call vote: ayes-7; nays-0.

Councilman Fee asked that proposed Resolution No. 69-26 be read by the Clerk.

Resolution No. 69-26

The Acting Clerk read proposed Resolution No. 69-26 as follows: (H.I.)

Councilman Fee moved for the adoption of proposed Resolution No. 69-26. Motion seconded by Councilman Gray and carried unanimously.

Doug Hatton, President of the Board of Public Safety, read a proposal addressed to the Common Council and the Board of Public Safety of the City of Bloomington from the citizens of Bloomington Township as follows:

"PROPOSAL TO THE CITY OF BLOOMINGTON FROM AN OPEN MEETING OF BLOOMINGTON TOWNSHIP CITIZENS"

We hereby request that Mr. Fred Davis, Trustee of Bloomington Township, present the following proposal to the Board of Safety and the City Council of the City of Bloomington.

1. That fire protection contracts between Bloomington Township and the City of Bloomington be negotiated on the following basis:
 - 1970: increase of 10% over price of 1969 contract
 - 1971: increase of 10% over price of 1970 contract
 - 1972: increase of 5% over price of 1971 contract
2. That the contracts read: "The City shall provide adequate fire protection according to the need."

Since this resolution was passed, it has been suggested that item 2 be amended to read: "The City shall provide adequate fire protection according to the need except for industry and large apartment complexes."

Doran May, member of the Board of Public Safety stated that he was very much in favor of a stop protection date for the city, but since several neighborhood groups were working on a plan for fire protection, he felt that the city should extend contract privileges to the townships for an additional year. Mr. May recommended that the door not be completely closed on fire contracts until December 31, 1971.

Bloomington Township Trustee, Fred Davis, and the following residents of Bloomington Township: Nancy Salmon, Joseph Stradling, Wm. Gephart, Wm. Kendall and Russell Feuerbach spoke in favor of the city granting them more time to bring about annexation and/or a county-wide fire plan. The following reasons were given for the request for an extension of time:

1. Seventeen months is not sufficient time to plan and implement a county-wide fire system.
2. Neighborhood groups would have time to discuss and make studies regarding the benefits and valid costs of annexation. It was felt that if the city refused to extend the time, annexation would be hurt.
3. Funds have been cut from Bloomington Township's budget for 1970 which places any plans for township fire protection in jeopardy.
4. Problem of funding methods of fire protection.
5. The need to get together and talk about these problems - get a better dialogue going with the city. It was suggested that there be a combination effort, not only for fire protection but in the entire area of emergency procedures.

James R. Cotner spoke in opposition to the city granting an extension of time saying:

1. The guide lines were prepared in August and announced in August.
2. The budget is not a prime consideration because the city has agreed to provide a contract for 1970 and money could be budgeted in 1970 for fire protection for the year 1971.
3. All efforts to annex in the past have been met with "Give us more time". Mr. Cotner feels that the present attitude toward annexation has stemmed from the terms of the fire contract.

Council President Faris announced that the Council would have a resolution at the next Council meeting in answer to this proposal.

Ray Bouvier asked the Council when the city planned to start the bus service again. He noted the money budgeted for this service and stated that the argument of "no money" could not be used.

Council President Faris informed Mr. Bouvier that the money was, indeed, budgeted but that it could not be spent until we received word from the State Tax Board that our budget for 1970 had been approved.

Councilman Harry Day stated that various members of the Council have received petitions from citizens in the community who are very much interested in having the services restored. He further stated that the city is, indeed, desirous of restoring the services but it simply can not be done until such time as the State Board of Tax Commissioners approved the budget.

Attorney Tom Berry requested that the Council reconsider their decision to postpone second reading of proposed Ordinance No. 69-48. Mr. Berry charged that the Council was in the process of committing an illegal act by requiring annexation and a right of way easement before this parcel of ground can be rezoned. He further stated that it was his opinion that the Council was stalling rather than postponing the second reading for the purpose of studying the ordinance. Council President Faris stated that no action would be taken on proposed Ordinance No. 69-48 this date.

Mr. Burton, 213 E. 13th Street, spoke regarding the smoke in the area of 14th and Dunn Streets from the burning of sawdust in the incinerator at the Townsend Mill. He stated that this problem had existed for about twelve years and asked for the council's consideration in this matter. Council President Charles Faris announced that this problem would be referred to the Board of Public Works for action.

None

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

Council President Faris read the report of the Street Lighting Committee, in the absence of Councilman Morrison, as follows:

REPORTS FROM STANDING
COMMITTEES

Street lights were proposed at the following locations:

1. Southwest corner of the intersection of West 6th Street and Pine Street.
2. On the west side of Pine Street 145 feet north of the north line of West 6th Street.
3. Northeast corner of the intersection of West 6th Street and Ritter Street.
4. On the north side of East 9th Street, 147 feet west of the west line of Lincoln Street.

Councilman Fee moved that the report of the Street Lighting Committee be approved and that the Clerk notify Public Service to install the lights. Motion seconded by Councilman Harry Day. Motion carried unanimously.

None

REPORTS FROM SPECIAL
COMMITTEES

None

REPORTS FROM CITY OFFICIALS
AND DEPARTMENT HEADS

Councilman Clegg stated that there has been considerable controversy in the statements made tonight. One very pertinent point that was not made is that the Council's first responsibility is to the people of the City of Bloomington. While the Council has a responsibility to Monroe County - and it has tried to instill the concept of total community - its members were elected to serve people of the City of Bloomington.

MESSAGES FROM COUNCILMEN

Councilman Fee wholeheartedly endorsed Councilman Clegg's statement.

Council President Faris read a letter from John E. Fancher, President of the Monroe County Mental Health Foundation informing the Council of the expiration of Mr. Johnson's term, and asking that the Council consider his reappointment to the Mental Health Foundation Board.

OTHER NEW BUSINESS

Members of the Common Council voted unanimously to reappoint Councilman Johnson to the Board.

None

MESSAGE FROM MAYOR

Councilman Clyde Day moved that the claims presented for payment on October 20, and the payrolls for October 20 and November 5, 1969 be allowed. Motion seconded by Councilman Johnson.

EXAMINATION OF CLAIMS

Councilman Fee questioned the following two items under Sewage Works Construction:

- Hatfield & Kellams - \$28,479.50
- Hatfield & Kellams - \$58,454.63

City Controller Howard A. Young explained that the \$58,454.63 figure represents payment for construction on the Service Control Center and the \$28,479.50 figure is a temporary loan from Sewage Works Construction to pay for the completed sidewalks for the last thirty days.

Councilman Fee read from Burns Statute, Section 48 - 1410 and 1411, and asked that this item be stricken until such time as an appropriation is made for this item.

In regard to this matter, James Cotner explained that under ordinary circumstances an expenditure is spent and not recovered. This is an allocation of funds which are available and which can be recovered.

Vote: ayes - 7, with Councilman Fee voting aye with the exception as notes; nays - 0.

Meeting adjourned at 9:30 p.m., E.S.T. ADJOURNMENT

Charles J. Davis
Pres. c/c