

In the Council Chambers, Municipal Building at 7:35 p.m., E.S.T., Thursday, November 20, 1969. Councilman Charles J. Faris presiding.

REGULAR MEETING
COMMON COUNCIL OF THE
CITY OF BLOOMINGTON, INDIANA

Council President Charles J. Faris.

CALL TO ORDER

Clerk.

ROLL CALL

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

Members absent: James Clendening and Ralph Johnson.

OFFICIALS IN ATTENDANCE

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 and Clifford Curry, Director of Planning.

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

NUMBER OF CITIZENS IN
ATTENDANCE

Councilman Clyde Day.

INVOCATION

The minutes of the November 6th meeting were approved as copied and distributed.

MINUTES OF FORMER MEETING

None.

REMONSTRANCES & OBJECTIONS

Councilman Clegg moved that proposed Ordinance No. 69-48 be advanced to second reading and be read by the Clerk by title only. Motion seconded by Councilman Morrison and carried unanimously.

ORDINANCES ON SECOND READING

No. 69-48

The Clerk read proposed Ordinance No. 69-48 by title only.

Citizens in the audience speaking in favor of proposed Ordinance No. 69-48 were: Allen Back, Terry McCoy, John Summitt, James Davis and Stanley L. Strep. All were residents of the trailer park at 900 N. Curry Pike. Statements made by these individuals included the need for low income housing, the niceness of the existing court, the fact that it is well engineered, and the fact that Mr. Gibson is a "wonderful person" and a "remarkable man".

Prosecutor Thomas Berry stated that it was his understanding that the Plan Commission passed Mr. Gibson's petition subject to a 20' easement, that the 20' meant a lot to Mr. Gibson in rent and that he must give the easement free - with no compensation- or not extend his trailer court. Mr. Berry felt that this was not due process of law. He strongly urged that the granting of the easement not be used as a basis to turn down his petition.

Councilman Day stated that Curry Pike is the principle street in this area to carry traffic and the right of way should be maintained in order to take into full account the traffic in the future. He has experienced for a great number of years the difficulty in traffic on our streets; he cited High Street as an example. He stated that, by all means, it is the duty of the council to promote orderly growth in all areas. He feels that unless we adhere very closely to requiring 80' on Curry Pike, we are doing a real disservice to the area and to the community.

Jimmie Hall, owner of a trailer court on Curry Pike, stated he had agreed to grant the right of way. G.E., also, has granted right of way.

Councilman Clegg moved that proposed Ordinance No. 69-48 be adopted. Councilman Fee seconded the motion.

Roll call vote: ayes 1 (Morrison), nays 6. Adoption of proposed Ordinance No. 69-48 is denied.

Councilman Clegg moved that proposed Ordinance No. 69-49 be introduced and read by the Clerk. Motion seconded by Councilman Clyde Day. Motion carried unanimously.

ORDINANCES GENERAL AND SPECIAL

Ordinance 69-49

The Clerk read proposed Ordinance No. 69-49.

Councilman Clegg moved that proposed Ordinance No. 69-50 be introduced and read by the Clerk. Motion seconded by Councilman Morrison. Motion carried unanimously.

Ordinance 69-50

The Clerk read proposed Ordinance No. 69-50.

Councilman Clegg moved that proposed Ordinance No. 69-51 be introduced and read by the Clerk. Motion seconded by Councilman Morrison. Motion carried unanimously.

Ordinance 69-51

The Clerk read proposed Ordinance No. 69-51.

Councilman Clegg moved that proposed Ordinance No. 69-52 be introduced and read by the Clerk. Motion seconded by Clyde Day. Motion carried unanimously.

Ordinance 69-52

The Clerk read proposed Ordinance No. 69-52.

Councilman Fee moved that proposed Appropriation Ordinance No. 69-3 be introduced and read by the Clerk. Motion seconded by Councilman Gray. Motion carried unanimously.

Appropriation Ordinance No. 69-3

The Clerk read proposed Appropriation Ordinance No. 69-3.

Councilman Fee moved that proposed Appropriation Ordinance No. 69-4 be introduced and read by the Clerk. Motion seconded by Councilman Clegg. Motion carried unanimously.

Appropriation Ordinance No. 69-4

The Clerk read proposed Appropriation Ordinance No. 69-4.

Councilman Fee moved that the rules of the council be suspended from further considering proposed Appropriation Ordinances No. 69-3 and No. 69-4 and that they be advanced to second reading in order that the fund transfer might be expedited. Councilman Gray seconded the motion.

Roll call vote: ayes 7, nays 0. Rules suspended.

The Clerk read proposed Appropriation Ordinance No. 69-3 by title only.

Councilman Fee moved for the adoption of proposed Appropriation Ordinance No. 69-3. Motion seconded by Councilman Clyde Day.

Roll call vote: ayes 7, nays 0.

Councilman Fee moved that proposed Appropriation Ordinance No. 69-4 be read by title only. Councilman Clyde Day seconded the motion. Motion carried unanimously.

The Clerk read proposed Appropriation Ordinance No. 69-4 by title only.

Councilman Fee moved for the adoption of proposed Appropriation Ordinance No. 69-4. Motion seconded by Councilman Clyde Day.

Roll call vote: ayes 7, nays 0.

Councilman Fee asked that the Clerk read proposed Resolution No. 69-27 as follows: (H.I.)

RESOLUTIONS

Resolution No. 69-27

Councilman Fee moved for the adoption of proposed Resolution No. 69-27. Motion seconded by Councilman Clyde Day and carried unanimously.

Councilman Fee asked that the Clerk read proposed Resolution No. 69-28 as follows: (H.I.)

Resolution No. 69-28

It was pointed out that the resolution did not apply to private home owners.

An unidentified member of the audience stated that the time limit was "almost brutally short" and that it was "not reasonable, but punitive".

Councilman Clegg stated that the time limit was necessary to keep people from "dragging their feet" and that if plans were made and funds were started then the council could consider extending the time limit.

Mr. Fred Davis, Bloomington Township Trustee, stated that he had no control over other trustees and no authority outside of his township. He stated that he felt penalized, as if the "door had been shut" and that the "townships had been let down".

A representative for the Eastern Heights Association stated that the driving to volunteer departments would be "scuttling".

An unidentified member of the audience asked what evidence there was, that in asking for a county wide system, the townships could work together. Councilman Faris answered that collectively they could join together to do what they chose. Mr. Davis stated that it was "absolutely impossible" to get together with the other trustees. Two townships have already made other plans... Perry Twp. has started its own fire department and Van Buren Twp. Trustee says he will not sign with the city.

Attorney Cotner stated that the program was tied into the annexation program designed to bring areas into the city which should be in the city and that extending the fire service for a long length of time could only be bad for the city. It would be good for the area outside the city. The only way the inequalities in the present program will be corrected is to adhere to the guide lines.

Mr. Joe Stradling, a resident of Matlock Heights, stated that there are annexation petitions in circulation.

Attorney Barnhart said that he thought the city was justified in its position. He feels that

if the areas are not annexed they should be left on their own.

Clarence Gilliam, President of the Grand-view Association, asked what proposals the city had to give good protection if they were annexed. Councilman Faris pointed out that no city taxes would be paid within two years after annexation and that fire protection would begin immediately.

Mr. Clegg moved to amend proposed Resolution No. 69-28 to read under item 3: The city would furnish complete, municipal, professional service, including all personnel and equipment required and available, to commercial, apartment and industrial property owners only, and upon the said property owner or owners entering..." The motion was seconded by Councilman Fee and was carried unanimously.

Councilman Harry Day reminded those present that these are mere guide lines and that the action taken by the council this evening is not the end. He conceives of this as merely another step in the long process of solving problems that are of concern to both city and county. He stated that when people outside the urban area manifest an interest of such extent that they will begin to work together with the city then he, personally, will be glad to sit down and take another look at this. He further stated that, in an area of such concern, the townships will work together and that he was very much in favor of the resolution.

Councilman Clegg moved for the adoption of proposed Resolution No. 69-28. The motion was seconded by Councilman Harry Day.

Roll call vote: ayes 5, nays 0, 2 abstentions (Morrison and Clyde Day).

Councilman Fee asked that the Clerk read proposed Resolution No. 69-29 as follows: (H.I.)

Resolution No. 69-29

Councilman Clyde Day moved for the adoption of proposed Resolution No. 69-29. Motion seconded by Councilman Fee and carried unanimously.

The Clerk was asked to send copies of the resolution to the football players and an original to the coach.

A petition from the parents of children attending Hunter Elementary School was presented. The petition was a request for a crossing guard, a request to move a crosswalk on Second Street to the west, and a request to lower the speed limit in front of the school to 20 mph.

PETITIONS & COMMUNICATIONS

None.

REPORTS - OFFICIAL BOARDS

None.

REPORTS - STANDING COMM.'S

None.

REPORTS - SPECIAL COMM.'S

None.

REPORTS - CITY OFFICIALS

None.

MESSAGES FROM COUNCILMEN

Randy Bridges asked that the council reconsider their November 6th decision regarding a petition to amend a zoning ordinance for nine lots on East First Street.

OTHER NEW BUSINESS

Councilman Clegg stated that they at least owed Mr. Bridges the courtesy to discuss the matter.

Councilman Harry Day said if there was new evidence in the case they would be able to do so.

Councilman Clegg said the council will give a decision to Mr. Bridges at the next council meeting on whether the case will be reconsidered.

None.

MESSAGE FROM MAYOR

None.

EXAMINATION OF CLAIMS

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

ADJOURNMENT

Charles J. Evans
Pres etc