

In the Council Chamber, Municipal Building, on June 6,, 1968, at 7:30 p.m., E.S.T., Council President Charles J. Faris presiding.

REGULAR MEETING
COMMON COUNCIL OF THE
CITY OF BLOOMINGTON, INDIANA

Council President Faris.

CALL TO ORDER

Deputy City Clerk:

ROLL CALL

Members present: Councilmen Robert L. Clegg, Jr., James C. Clendening, Harry G. Day, Charles J. Faris, Richard W. Fee, Robert E. Gray, Ralph L. Johnson, William A. Madden and Jack Morrison.

Members absent: None.

Councilman Johnson introduced the Reverend William Webster, of the Roger Williams Foundation, who gave the invocation.

INVOCATION

Mayor John H. Hooker, Jr.; Raymond E. Long, City Engineer; Howard A. Young, City Controller; James R. Cotner, City Attorney; Marian H. Tardy, City Clerk; James R. East, Police Chief; Edward Miller, Fire Chief; Jerome T. Femal, Director, Department of Parks and Recreation and Marvard Clark, Assistant City Engineer.

OFFICIALS IN ATTENDANCE

Thirty-five including James Root, reporter for the Daily Herald Telephone and John Mahan, reporter for the Bloomington Courier Tribune.

NUMBER OF CITIZENS
IN ATTENDANCE

On motion of Councilman Johnson, seconded by Councilman Gray, the minutes of the regular meeting held May 16, 1968 were approved as distributed.

MINUTES OF FORMER MEETING

None.

REMONSTRANCES AND OBJECTIONS

Councilman Clegg moved that proposed Ordinance No. 68-23 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

ORDINANCES - SECOND READING

The Clerk read proposed Ordinance No. 68-23 by title only.

Ordinance No. 68-23 - Zoning Ordinance-Area bounded by State Highway 48 on the South, the I.C.R.R. property on the North and extends West from Adams Street approximately 1700 feet

Marvard Clark explained the location of the area.

Councilman Clegg moved that proposed Ordinance No. 68-23 be adopted. Councilman Gray seconded the motion. Roll call vote: ayes 9; nays 0.

Councilman Clegg moved that proposed Ordinance No. 38-24 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

Ordinance No. 68-24 - Zoning Ordinance-3.148 acres lying approximately 364 feet West of the intersection of Knightridge Road and Third Street on the South side of Third Street

The Clerk read proposed Ordinance No. 68-24 by title only.

Marvard Clark explained the location of the area.

Thomas McDonald, Attorney for Johnson Motors, Inc., who plans to build a new car agency on the land, explained his client's plans.

Mr. Swihart, Mr. Wheeler, Dan James, Elkin Evans, Kennon Shank, Mrs. Devins and Sherman Mizeł spoke against the proposed ordinance.

Councilman Day asked Councilman Clegg, Council representative to the Plan Commission, to explain what action was taken when this proposed ordinance was placed before the Plan Commission for action.

Mr. Clegg said Mr. and Mrs. Dozell, who live closest to the area, were present but they questioned only the possible damage to their property and any physical change to the area which might affect their property. There was only one dissenting vote by the Plan Commission members.

Ordinance No. 68-24
(continued)

Councilman Clegg moved that proposed Ordinance No. 68-24 be adopted. Councilman Fee seconded the motion. Roll call vote: ayes 1, Councilman Fee; nays 8. The proposed Ordinance was rejected and Council President Faris asked the Clerk to return the proposed Ordinance to the Plan Commission with a covering letter explaining the Council's reasons for rejection.

Councilman Day stated that the rezoning of this particular land would change the character of the area by opening the door for encroachment of general business into residential areas. It also would add to the already heavy traffic load on Third Street.

Councilman Clegg moved that proposed Ordinance No. 68-25 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

Ordinance No. 68-25 - Zoning Ordinance-Lots 17 through 20 in Block "S" Highland Homes, located on the North Side of Third Street between Roosevelt Avenue and Clark Street

The Clerk read proposed Ordinance No. 68-25 by title only.

Marvard Clark explained the location of the area.

Dan James spoke against the proposed ordinance and Frank Barnhart, attorney for Mrs. Ray Gines owner of the property, explained that Dr. Way intended to make the house into a clinic without changing the physical aspects of the property except for putting a parking area behind the house.

Councilman Clegg moved that proposed Ordinance No. 68-25 be adopted. Councilman Gray seconded the motion. Roll call vote: ayes, 8; nays, 1, Councilman Madden.

Councilman Clegg moved that proposed Ordinance No. 68-26 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

Ordinance No. 68-26 - Zoning Ordinance-Property located on the North side of Wylie Street between Rogers and Fairview Streets

The Clerk read proposed Ordinance No. 68-26 by title only.

Marvard Clark explained the location of the area.

Councilman Clendening recommended the proposed Ordinance be rejected because the people in the area had kept up their homes and planned to spend their declining years there. Mr. Woods said a petition had been presented to the Plan Commission requesting rejection of the proposed rezoning because most of the residents are elderly and the added traffic would be detrimental to them and the many children who walk this street on their way to Hunter School.

Councilman Clegg said this was one of several very controversial issues and there were many remonstrators at the Plan Commission but he felt the Council should make the final decision.

Councilman Day said he would say "no" immediately if it were any other group than Mental Health. He said he felt there were other sites better suited to the Mental Health Clinic than this one.

Ordinance No. 68-26
(continued)

Fred Gregory, attorney for Dr. Robinson and the Monroe County Mental Health Association, said the Mental Health budget is very limited, allowing only \$150.00 per month for housing and this place had been the only one so far that would fit the budget allowance. He stated that Dr. Robinson was very concerned about keeping a good relationship with the area residents. He said Dr. Robinson is a fine, dedicated person and because of the objections to the clinic being put in this area, Mr. Gregory had been asked to request that the Council reject this proposed Ordinance.

Council President Faris said he could speak for all members of the Council in attesting to Dr. Robinson's excellent character and reputation.

Councilman Clegg moved that proposed Ordinance No. 68-26 be rejected. Councilman Gray seconded the motion. Roll call vote: ayes - 9; nays - 0. The proposed Ordinance was rejected and Council President Faris asked the Clerk to return the proposed Ordinance to the Plan Commission with a covering letter explaining the Council's reasons for rejection.

Councilman Johnson moved that proposed Ordinance No. 68-27 be advanced to second reading and be read by the Clerk by title only. Councilman Day seconded the motion and it carried.

Ordinance No. 68-27
Fire Bond Ordinance

The Clerk read proposed Ordinance No. 68-27 by title only.

Councilman Johnson moved that proposed Ordinance No. 68-27 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes - 9; nays - 0.

Councilman Johnson moved that proposed Ordinance No. 68-30 be advanced to second reading and be read by the Clerk by title only. Councilman Clendening seconded the motion and it carried.

Ordinance No. 68-30
Sewer Bond Ordinance

The Clerk read proposed Ordinance No. 68-30 by title only.

Councilman Madden said he had seen a pamphlet which stated Federal funds were available for programs of this sort without a workable plan having been presented. He asked if Federal money had been requested. Mr. Hooker stated \$375,000.00 in Federal Funds has already been received and when further funds are available they will be applied for. He further stated that we are seventh in priority for funds for the south sewage works and twenty-first for our total program.

Councilman Johnson moved that proposed Ordinance No. 68-30 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes - 9; nays - 0.

None.

GENERAL AND SPECIAL
ORDINANCES

Councilman Fee read proposed Resolution No. 68-18 and moved for its adoption. Councilman Johnson seconded the motion and it carried.

None.

None.

None.

None.

None.

None.

Councilman Johnson announced that the following persons had been chosen as the Council's appointees to the Interim School Board:

Robert E. Sullivan, Leon E. Hay and James L. Schmalz.

Councilman Johnson moved that the above named persons be officially appointed to serve as members of the Interim School Board. Councilman Clendening seconded the motion and it carried.

Council President Faris instructed the Clerk to send the appointment certificate with a covering letter to Mr. John H. Goen, Chairman of the Monroe County Committee for the Reorganization of School Corporations.

Councilman Madden said he was very disturbed by the newspaper article in the Herald Telephone, of the day before, in which it was implied that secret meetings of the Council were held and that these meetings had political overtones. He said he wished to go on record as being resentful of such implications. He said he was pleased when he was notified of these meetings and asked to attend and he was pleased to find that the members of the Council were expected to attend and assist in delving deeply into all matters requiring their attention.

Councilman Day concurred and objected to the use of the word "caucus", saying he preferred the words "Executive Session".

Council President Faris said the Council had never made a secret of the fact that these working sessions were held on the Wednesday preceding Council meeting.

Mayor Hooker said these meetings were initiated over four years ago and that politics had never entered into the business of the meetings. He said this was not the first governmental body to hold such working sessions and this type of meeting is prevalent in industry.

Reverend Kirk said the next time such an occasion as the appointment of school board members arose, he hoped the Council would consider elevating a negro to such a position.

RESOLUTIONS

Resolution No. 68-18
Investment of Funds

PETITIONS AND COMMUNICATIONS

REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS

REPORTS FROM SPECIAL COMMITTEES

REPORTS FROM STANDING COMMITTEES

REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

MESSAGES FROM COUNCILMEN

OTHER NEW BUSINESS

Council President Faris noted that James Schmalz, one of the Interim School Board appointees, was in the audience and asked if he had any comments. Mr. Schmalz thanked the Council for appointing him and said he would do his best but felt he would need guidance in his duties to the Board.

OTHER NEW BUSINESS
(continued)

Mayor Hooker commended the Council on its appointments to the Interim School Board. He said the Council had supported the schools in the past and would continue to do so because it has been the normal behavior of the Council to be concerned about the total community.

MESSAGES FROM MAYOR

Mr. Hooker said he appreciated the presence at this meeting of George Duncan, head of the Monroe County Commissioners. He said this shows concern of one government agency for the actions of another.

Mr. Hooker said the County Commissioners will be asked to reconsider their decision on the creation of a City-County Building Authority and a Data Computing Center.

Mr. Hooker stated the beauty of Bloomington is unsurpassed and should not be marred by the offensive signs that meet the sight of persons entering the city. He said we have a natural moon, in cycles, and do not need an artificial one such as the Gulf Oil Sign at the intersection of Tenth Street and Bypass 46. He plans to propose an amendment to the existing sign ordinance at the next meeting of the Council.

Mr. Hooker feels we should undertake a long range program of putting underground the public service and telephone lines that are now overhead.

Council President Faris announced there would be a special meeting of the Common Council on Monday, June 17, 1968, at 7:00 p.m., in the Council Chamber for the purpose of public hearing, second reading and adoption of the 1968 Sewer Rate Ordinance No. 68-29.

Council President Faris asked the Council members to consider that the first meeting in July falls on July 4th, a holiday. It was decided to hold the first meeting in July on July 2nd, at 7:30 p.m., in the Council Chamber.

Councilman Fee moved that the claims presented for payment on June 5, 1968 and June 7, 1968 be allowed. Councilman Clendening seconded the motion and it carried unanimously.

EXAMINATION OF CLAIMS

Council President Faris moved for adjournment at the hour of 9:45 p.m., E.S.T.

ADJOURNMENT


Charles J. Faris, Council President

ATTEST:

Marian H. Tardy, City Clerk