

In the Council Chamber, Municipal Building, on August 1, 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., Harry G. Day, Charles J. Faris, Richard W. Fee, Robert E. Gray, Ralph L. Johnson, William A. Madden and Jack Morrison.

Members absent: Councilman Clendening is with the Bloomington Babe Ruth League players at Robinson, Illinois.

Council President asked Councilman Johnson to give the invocation.

INVOCATION

Mayor John H. Hooker, Jr.; Raymond E. Long, City Engineer; Howard A. Young, City Controller; Marian H. Tardy, City Clerk; James R. Cotner, City Attorney; Police Captain John Krentler; Fire Chief Edward Miller; Deputy Fire Chief Jack Knapp; Jerome T. Femal, Director, Department of Parks and Recreation; James D. Sargent, Street Commissioner; Marvard Clark, Assistant City Engineer and Incinerator Superintendent Roscoe Shields.

OFFICIALS IN ATTENDANCE

Forty-three including James Root, reporter for the Daily Herald Telephone and Fred Hill, reporter for the Bloomington Courier Tribune.

NUMBER OF CITIZENS
IN ATTENDANCE

Councilman Johnson moved that the minutes of the last regular meeting, held July 18, 1968, be approved as xeroxed and distributed. Councilman Fee seconded the motion and it carried.

MINUTES OF FORMER MEETING

None.

REMONSTRANCES AND OBJECTIONS

Councilman Clegg moved that proposed Ordinance No. 68-35 be advanced to second reading and be read by the Clerk by title only. The motion was seconded by Councilman Johnson.

ORDINANCES - SECOND READING

Ordinance No. 68-35-Zoning
Ordinance -Off-Street Parking
for Apartments

The Clerk read proposed Ordinance No. 68-35 by title only.

Councilman Clegg asked the Clerk to read the following letter from Baker, Barnhart and Baker and make it a matter of record:

"July 31, 1968

Mayor and Common Council
Municipal Building
Bloomington, Indiana

Gentlemen:

As you know prior to the recent Plan Commission meeting, our office did some basic research concerning the need for amendment of our Zoning Ordinance. InRe: Parking Requirements for multiple apartments. We were pleased with the consideration given this matter at the recent meeting, as we felt that the proposed modification would ultimately be beneficial to all concerned including those wishing to develop apartments. As was stated in the meeting, criticism of apartment developments has resulted in such developments being looked upon with disfavor. I think it is important to all, that the ordinance be amended to alleviate this criticism.

We have continued to discuss this matter with our clients and find considerable concern on their part that the proposed amendment may place upon future developers a burden which will interfere with obtaining financing. Additional investigation does seem to indicate that the one and one-half spaces per one bedroom units and two spaces for larger units may create substantial problems. Additional investigation also indicates that the parking problems seem to be limited to certain areas of the City and to furnished two bedroom units. This is not to say that there are not problems in other areas, but that the problems are more severe or more common in this particular category.

We would, therefore, like to recommend that the Council consider modifying the recommendations of the Plan Commission so that efficiency and one bedroom units be required to furnish one and one-fourth spaces per dwelling unit. That two bedroom unfurnished be required to have one and one-half spaces per dwelling unit; and that two bedroom furnished and three bedroom or more units be required to furnish two spaces per dwelling unit. We feel that this has the advantage of still being relatively simple and does give some relief to the developers of lower priced housing, that have not been in the past and are not expected to be in the future, the creators of parking problems which the proposed amendment is intended to correct. As is the case in the former amendment where this requirement results in a partial space requirement, partial spaces will be treated as a full space requirement.

Very truly yours,

BAKER, BARNHART, ANDREWS & BAKER

By /signed/ Frank A. Barnhart

FAB:jp"

Councilman Day said multiple dwelling developers should consider space for children to play and air space around apartment buildings. He said the aesthetics of a community is offended by crowding multiple dwellings on one or two city lots.

Councilman Fee moved that proposed Ordinance No. 68-35 be adopted. Councilman Clegg seconded the motion. Roll call vote: ayes 8, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-32 be advanced to second reading and be read by the Clerk by title only.

The Clerk read proposed Ordinance No. 68-32 by title only.

Council President Faris asked the Clerk to read the following letter from Baker, Barnhart Andrews and Baker and make it a part of the minutes of this meeting:

Ordinance 68-32-Zoning Ordinance-Lots numbered 5, 6 & 7 and the north half of lots numbered 9 and 10 in Cedar Hill Addition at the southeast and northeast corners of Second and Grant Streets

"July 18, 1968

Mr. Ray Long
City Engineer
City of Bloomington
Municipal Building
Bloomington, Indiana

In re: Nelson Bell, rezoning

Dear Ray:

ORDINANCES - SECOND READING
(continued)

Mr. Bell acknowledges that there is now pending before the Common Council an Ordinance to amend the parking requirements for R-3 Apartment Development. Ordinance No. 68-32 (continued)

Mr. Bell does not wish to oppose the Ordinance as proposed by the Planning Commission or in any way to avoid it. In order to avoid any legal technicality as to the effective date of the new parking ordinance, and to facilitate an early consideration of his zoning requests, I am authorized to state that in the event his zoning request is favorably considered by the Council, he will consider himself bound by the new parking requirement.

Very truly yours,

BAKER, BARNHART, ANDREWS AND BAKER

By: (signed) Frank A. Barnhart

FAB:hd"

Attorney Barnhart spoke for Mr. Bell in favor of rezoning.

Attorney James Kent spoke for twenty-five to thirty long-time residents of this area, some retired, who had appeared before the Plan Commission to protest this rezoning. He asked the Common Council to oppose this rezoning and any subsequent changes without sufficient planning.

Attorney Kent presented copies of the following petition to the members of the Council and asked that it be made a part of the minutes of this meeting:

"Petition Opposing Passage of Ordinance 68-32

To: The Honorable Members of the Common Council of the City of Bloomington, Indiana:

We, the undersigned, owning real estate and/or residing in the area of the real estate set out and described in said Ordinance do hereby respectfully voice our opposition to the passage of said Ordinance for the following reasons:

1. That the area South of Second, East of Grant is made up primarily of single-family dwelling units;
2. That additional apartment buildings in the area will tend to cause increased congestion on the public streets in the area; and,
3. That additional apartment buildings in the area will aggravate existing parking problems in the area."

The above petition contained signatures of thirty area residents.

Councilman Day asked Councilman Clegg, Council representative to the Plan Commission, to give some idea of what went on at the meeting when this request for rezoning was presented.

Councilman Clegg said the primary reason the request was turned down the first time was that the Plan Commission did not want to see such a small area rezoned. He said the decision was not unanimous at either meeting.

Ordinance No. 68-32
(continued)

Councilman Day said changes in the living patterns of persons in an area should be considered at all costs. The biggest problem is parking but we are moving to eliminate this as a problem. This area will no doubt be changed soon anyway and Dr. Day thinks the area should be made an R-3.

Councilman Clegg moved that proposed Ordinance No. 68-32 be adopted. Councilman Day seconded the motion. Roll call vote: ayes 5, nays 3. Motion carried.

Councilman Clegg moved that proposed Ordinance No. 68-37 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion.

Ordinance No. 68-37-Zoning Ordinance-West side of Henderson Street between Monon Railroad spur and Miller Drive.

The Clerk read proposed Ordinance No. 68-37 by title only.

Marvard Clark gave a brief description of the property.

Attorney Frank Barnhart said his client would ask for voluntary annexation if the proposed Ordinance is passed. He stated there was no proposed use for the area they were asking to have rezoned to B-1 but the B-3 request would house a lumber mill if granted.

Councilman Fee moved that proposed Ordinance No. 68-37 be adopted. Councilman Clegg seconded the motion. Roll call vote: ayes 8, nays 0.

Councilman Fee moved that proposed Ordinance No. 68-38 be advanced to second reading and be read by the Clerk by title only.

Ordinance No. 68-38
Salary Ordinance

The Clerk read proposed Ordinance No. 68-38 by title only.

Councilman Fee said the laws of the State of Indiana provide that these salaries shall be fixed before July 31st. He said the Council can lower salaries but cannot raise them beyond the schedule presented by the Mayor. He said the proposed ordinance represents a seven per cent increase.

Councilman Fee asked the Clerk to read the proposed amendments to the Salary Ordinance.

The Clerk read the proposed amendments.

Councilman Fee moved that proposed Ordinance No. 68-38 be adopted as amended. Councilman Johnson seconded the motion. (while the amendments to proposed Ordinance No. 68-38 were being read, Councilman Madden Joined the meeting) Roll call vote: ayes 9, nays 0.

Councilman Day commented that the legislative body should not attempt to control salary ranges for the whole city. The administrators should exercise their knowledge in this part of the salary schedule.

Council President Faris asked the Clerk to read proposed Resolution No. 68-27, a commendation to Councilman James Clendening, Coach, and to the members of the Bloomington Babe Ruth All-Star Baseball Team.

RESOLUTIONS

Resolution No. 68-27
Babe Ruth Baseball

The Clerk read proposed Resolution No. 68-27.

Councilman Day moved that proposed Resolution No. 68-27 be adopted. Councilman Fee seconded the motion and it carried.

Council President Faris said each copy of the above Resolution had been signed by each member of the Council and the Mayor and that the copies would be hand-carried to the team.

Councilman Day moved that proposed Resolution No. 68-28 be adopted. Councilman Clegg seconded the motion. and it carried.

Resolution No. 68-28
Miss Maude Bryan

Council President Faris asked Miss Maude Bryan to come forward. He then asked the Clerk to read Resolution No. 68-28, a testimonial to Miss Bryan's great contribution to the religious, civic, educational and moral standards during her long life in Bloomington.

The Clerk read the Resolution which had been signed by each of the Councilman and Mayor Hooker and placed in a frame. The Resolution was presented to Miss Bryan to take with her when she leaves, in November, to reside at the Emily E. Flinn Christian Home in Marion, Indiana.

None.

PETITIONS AND
COMMUNICATIONS

None.

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

None.

REPORTS FROM
SPECIAL COMMITTEES

None

REPORTS FROM
STANDING COMMITTEES

None.

REPORTS FROM CITY OFFICIALS
AND DEPARTMENT HEADS

Councilman Day introduced Sanga Kuwana who, with his wife, has been enrolled at Indiana University. They will return, with their two children, to their native Rodesia to teach. Dr. Day said Mr. Kewana was reluctant to speak with newspaper reporters present because a supposed interview with him once was reported erroneously in a newspaper.

MESSAGES FROM COUNCILMEN

Mayor Hooker reported briefly on the following points:

MESSAGES FROM MAYOR

1. The Bloomington Township and Perry Township Fire contracts.
2. Salary Ordinance. He stressed, especially to the Press, that this is a proposed budget subject to change by the Monroe County Tax Adjustment Board and the State Board of Tax Commissioners.
3. Progress report on the Sewer Expansion Program.
4. The Ninth Street Park Program which will be finished in a few weeks.
5. Architect Richard Hartung's plans for the College Mall Fire Station.

6. Trial date in the 1962 Annexation Case has been set for September 9, 1968.
7. The case concerning the City of Bloomington and the Sun-Ray D-X Oil Corporation has been continued.

MESSAGES FROM MAYOR
(continued)

Since it will not be very long until the next session of the Legislature, Mayor Hooker respectfully suggested that the Council use resolutions or some other means to convey to the Legislature its recommendations for backing the following items:

1. Legislation to allow areas of the state, which wish to do so, to embark on the metropolitan form of government.
2. Creation of a comprehensive Public Safety Academy which would encompass police, fire and civil defense safety training. The City of Bloomington would go on record as willing to provide ground for such an Academy.
3. The desperate need for adequate highways, particularly an interstate type of highway running from Indianapolis through Monroe County to Evansville.
4. The possibility of immediate financial relief to Civil and School governments by attaching an extra one cent to the present two cent surcharge.
5. State assumption of responsibility for municipal pension and welfare programs.
6. An increase in gasoline tax to help provide funds to build better roads.
7. Mayor Hooker feels Bloomington is not getting its fair share of the Motor Vehicle Highway Funds. He thinks distribution of one-half of the money should be based upon the collection point rather than the one hundred per cent distribution based on the registration point.

Council President Faris personally appealed to the residents of Bloomington and Perry Townships to contact their respective trustees, by letter, telephone or in person, to express their views on fire protection.

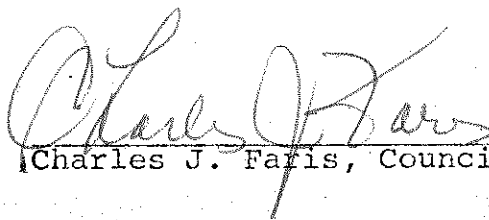
Council President Faris announced that Police Chief East was absent from this meeting because of the death of his wife's mother.

Councilman Johnson moved that the claims presented for payment on August 2, 1968 and August 5, 1968 be allowed. Councilman Day seconded the motion and it carried unanimously.

EXAMINATION OF CLAIMS

Council President Faris moved for adjournment at the hour of 10:50 p.m., E.S.T.

ADJOURNMENT



Charles J. Faris, Council President

ATTEST:

Marian H. Tardy, City Clerk