

In the Council Chamber, Municipal Building on October 3, 1968, at 7:30 p.m., E.S.T., Council President Charles J. Faris, presiding.

PUBLIC HEARING
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, Robert E. Gray, Ralph L. Johnson, William A. Madden and Jack Morrison.

Members absent: Councilman Richard W. Fee.

Council President Faris asked the Clerk to show that Councilman Fee would be late coming to the meeting due to a conflict of commitments.

Council President Faris announced that at this time, prior to the regular stated meeting of the Common Council, opinions would be heard concerning proposed Ordinance No. 68-48, the Sewer Surcharge Ordinance. Mr. Faris said there would be no rebuttal at this meeting; therefore, after opinions are heard, this meeting will be adjourned to continue at the next meeting of the Common Council on October 17, 1968.

President Faris asked the Clerk to read the proof of publication of the Notice of Public Hearing for this meeting.

The Clerk read said proof of publication.

Attorney Donald Bowen of Indianapolis, representing various west side industries in the Bloomington area, said that since it was understood that the public hearing would continue at the next Council meeting, he would voice only his intention to appear at the next meeting in protest against the proposed ordinance.

Attorney William Hornaday spoke at length, in protest of the proposed ordinance, on behalf of several clients whose names he said he was not at liberty to disclose.

Thomas J. Muckenfuss, Jr., of Temco, Inc. and a county resident, expressed himself as having complete confidence in the actions of the Council and as being in favor of either annexation to the City or compliance to the proposed Surcharge Ordinance. He expressed, also, a very pointed opinion against the protest action of Mr. Hornaday and his "mysterious" clients.

There being no other persons expressing the desire to speak, the public hearing was adjourned until October 17, 1968 on motion of Councilman Johnson, seconded by Councilman Clegg and carried.

The hour of adjournment was 8:15 p.m., E.S.T.

In the Council Chamber, Municipal Building on October 3, 1968, at 8:15 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

Council President Faris asked Councilman Day to give the invocation.

INVOCATION

John H. Hooker, Jr., Mayor; Raymond E. Long, City Engineer; Howard A. Young, City Controller; James R. Cotner, City Attorney; James R. East, Police Chief; Edward Miller, Fire Chief; Clifford Curry, Director of Planning; Marvard Clark, Assistant City Engineer and Rilus E. Cook, City Chemist.

OFFICIALS IN ATTENDANCE

Forty-seven 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 regular meeting held September 19, 1968 be approved as xeroxed and distributed. Councilman Clendening seconded the motion and it carried.

MINUTES OF FORMER MEETING

None.

REMONSTRANCES AND OBJECTIONS

Councilman Clegg moved that proposed Ordinance No. 68-47 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

ORDINANCES - SECOND READING

Ordinance No. 68-47
Plat Approval Application
Charge

The Clerk read proposed Ordinance No. 68-47 by title only.

Councilman Clegg re-read a portion of the proposed ordinance and suggested that the eleventh line of Section 1 be changed to read "verifying the proposed plat. Upon all proposed" in order to clarify the meaning of the paragraph.

Councilman Johnson moved the proposed Ordinance be amended as suggested by Councilman Clegg. Councilman Clendening seconded the motion. Roll call vote: ayes 8, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-47 be adopted as amended. Councilman Gray seconded the motion. Roll call vote: ayes 8, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-51 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-51
Burial Vaults

The Clerk read proposed Ordinance No. 68-51 by title only.

Councilman Johnson moved that proposed Ordinance No. 68-51 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes, 8, nays 0.

ORDINANCES - SECOND READING
(continued)

Councilman Clegg moved that proposed Ordinance No. 68-52 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-52-Zoning Ordinance-Ralph Rogers' land on South Side of State Road 48

The Clerk read proposed Ordinance No. 68-52 by title only.

Councilman Clegg moved that proposed Ordinance No. 68-52 be adopted. Councilman Johnson seconded the motion. Roll call vote: ayes 8, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-53 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-53-Zoning Ordinance-Three acres on south side of Third Street, West of Knightridge Road

The Clerk read proposed Ordinance No. 68-53 by title only.

Councilman Clegg moved that proposed Ordinance No. 68-53 be adopted. Councilman Johnson seconded the motion. Roll call vote: ayes 7, nays 1. Councilman Madden cast the dissenting vote.

Councilman Clegg moved that proposed Ordinance No. 68-54 be advanced to second reading and be read by the Clerk by title only. Councilman Gray seconded the motion and it carried.

Ordinance No. 68-54-Zoning Ordinance-Nine lots in Edgemont Park Addition

The Clerk read proposed Ordinance No. 68-54 by title only.

Councilman Clendening said this particular rezoning was approved unanimously by the Plan Commission members although there were a number of persons who expressed a great deal of feeling in opposition. At the same time it is an ideal place for rezoning. Any time an attempt is made to rezone an area, there will be those who will oppose it. This area is contiguous to an area which has already been rezoned to R-3.

Councilman Madden said he would like to see this rezoning wait until the planning, now happily being done in the City, can be done. If it is done in onw large section, the property owners would get the benefit of R-3 land values.

Councilman Day said if it is logical not to rezone a small amount because of a traffic situation, why would it be logical to rezone the whole amount. As for safety, he does not see that an apartment building in this area would increase traffic greatly; however, he sees no particular advantage in rezoning all of this area at this time.

At this point Councilman Fee joined the meeting.

Councilman Clendening moved that proposed Ordinance No. 68-54 be adopted. Councilman Morrison seconded the motion. Roll call vote: aye - Councilmen Clegg, Faris and Day nay - Councilmen Clendening, Morrison, Madden, Gray and Johnson. Councilman Fee declined to vote.

The motion to adopt proposed Ordinance No. 68-54 was defeated and the Clerk was instructed to return the proposed Ordinance to the Plan Commission and inform the members of the Council's decision.

ORDINANCES - SECOND READING.
(continued)

Ordinance No. 68-54
(continued)

Councilman Clegg moved that proposed Ordinance No. 68-55 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-55-Zoning Ordinance-Twenty-one acres on South Rogers Street

The Clerk read proposed Ordinance No. 68-55 by title only.

Councilman Clegg moved that proposed Ordinance No. 68-55 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes 9, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-56 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-56
Voluntary annexation-Williams' property on Curry Pike

Councilman Clegg moved that proposed Ordinance No. 68-56 be adopted. Councilman Johnson seconded the motion. Roll call vote: ayes 9, nays 0.

GENERAL AND SPECIAL ORDINANCES

Councilman Clegg moved that proposed Ordinance No. 68-10 be introduced and read by the Clerk. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-10
Excavation Ordinance

The Clerk read proposed Ordinance No. 68-10.

Councilman Clendening moved that proposed Ordinance No. 68-57 be introduced and read by the Clerk. Councilman Johnson seconded the motion and it carried.

Ordinance No. 68-57
Amendment to Traffic Ordinance

The Clerk read proposed Ordinance No. 68-57

Councilman Johnson moved that proposed Ordinance No. 68-58 be introduced and read by the Clerk. Councilman Day seconded the motion and it carried.

Ordinance No. 68-58
Voluntary Annexation - Property at Miller Drive and Henderson Street

The Clerk read proposed Ordinance No. 68-58.

Councilman Johnson moved that proposed Ordinance No. 68-60 be introduced and read by the Clerk. Councilman Clegg seconded the motion and it carried.

Ordinance No. 68-60
Voluntary Annexation - West end of the Ralph Rogers Complex on the South Side of State Highway No. 48 between Adams Street and Cory Lane

The Clerk read proposed Ordinance No. 68-60.

Councilman Johnson moved that proposed Ordinance No. 68-62 be introduced and read by the Clerk. Councilman Gray seconded the motion and it carried.

Ordinance No. 68-62
Repeal Ordinance No. 23, 1961 Chapter 14A, Municipal Code

The Clerk read proposed Ordinance No. 68-62.

Councilman Johnson moved that proposed Ordinance No. 68-61 be introduced and read by the Clerk. Councilman Day seconded the motion and it carried.

Ordinance No. 68-61 - Adopt BOCA Basic Housing Code, First Addition, 1964, as Amended, as City Housing Code

The Clerk read proposed Ordinance No. 68-61.

Council President Faris announced there will be a public hearing on proposed Ordinance No. 68-61 at the October 17th meeting of the Common Council.

GENERAL AND SPECIAL ORDINANCES

Ordinance No. 68-61
(continued)

Mayor Hooker said copies of the BOCA Code had been ordered and should be received by the first of next week so the members of the Council will have an opportunity to study it.

President Faris asked that the Clerk read proposed Resolution No. 68-35.

RESOLUTIONS

Resolution No. 68-35
Request for Budget Cuts
to be reinstated

The Clerk read proposed Resolution No. 68-35.

Councilman Clegg said he could not see how a lay group could justify reducing a budget in a matter of hours when it took the City Administration and the Common Council months to prepare it, in addition to the time spent by both the Administration and the Council in studying the budget in order to decide where it could best be reduced. He added that it seemed necessary that this proposed resolution be adopted.

Councilman Clegg moved that proposed Resolution No. 68-35 be adopted. Councilman Gray seconded the motion. Roll call vote: ayes 8, nays 1. Councilman Fee cast the dissenting vote.

President Faris asked Councilman Day to introduce Dr. McGuire (?sp.)

Resolution No. 68-36
Save Your Teeth Program

Councilman Day did so and asked that the Clerk be asked to read proposed Resolution No. 68-36.

The Clerk read proposed Resolution No. 68-36.

Councilman Day remarked that Dr. McGuire is unique in that he has had great foresight and wide experience in the field of dental health. He played a very active part prior to the adoption of the ordinance providing for the fluoridation of our water supply.

Dr. McGuire was asked to explain the "brush-in" program. He did so, adding that mass self-application of dental prophylactics had been tried, with much success, in other cities. He said that, in Fort Wayne, Indiana, eight hundred students were treated in twenty-seven minutes by one dentist giving instructions over a public address system.

Mayor Hooker suggested that feasibility surveys be made and that the schools be contacted. He said he had been told it might be possible to complete the entire program in six days and he thought it fitting that the people of Bloomington receive the fruits of the "brush-in" program.

Councilman Day said that in no way is this program to be considered a substitute for other dental health practices.

Mayor Hooker commended Dr. McGuire for his interest, his leadership and his personal efforts in bringing to us these untold benefits. He recommended that the members of the Council do likewise and thank Dr. McGuire personally.

Councilman Day moved that proposed Resolution No. 68-36 be adopted. Councilman Clendening seconded the motion and it carried.

Council President Faris asked the Clerk to read proposed Resolution No. 68-37.

The Clerk read proposed Resolution No. 68-37.

Mayor Hooker said this Council and this Administration has long been concerned about the matter of public housing. It has been discussed many times on the Council floor. He added that the proposed resolution has his personal support and asked that the Council give serious consideration to its passage.

Councilman Clegg moved that proposed Resolution No. 68-37 be adopted. Councilman Johnson seconded the motion and it carried.

None.

None.

None.

Councilman Clendening read a letter from the Traffic Commission which recommended the following changes in the Traffic Ordinance:

"No Parking Zone: East side of South Rogers Street for a distance of 153 feet north, or from West Second Street to the first East-West alley.

Yield Intersection: Seventh Street traffic shall yield to traffic on Overhill Drive both East and West bound."

Councilman Clegg moved that the City Attorney be instructed to prepare the necessary amendment to the Traffic Ordinance and present it to the next regular meeting of the Council. Councilman Fee seconded the motion and it carried.

None.

Councilman Fee read a commendation to the Monroe County Tax Adjustment Board and suggested they be given even wider authority.

None.

None.

Councilman Johnson moved that the claims presented for payment on October 4, 1968 be allowed. Councilman Clendening seconded the motion and it carried unanimously.

RESOLUTIONS

Resolution No. 68-36
(continued)

Resolution No. 68-37
Federal Assistance on
Low Rent Public Housing

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

MESSAGES FROM MAYOR

EXAMINATION OF CLAIMS

Council President Faris moved for
adjournment at the hour of 10:05 p.m.,
E.S.T.

ADJOURNMENT


Charles J. Faris, Council President

ATTEST:

Marian H. Tardy, City Clerk