

In the Council Chamber, Municipal Building, on October 17, 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 Johnson 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; Marian H. Tardy, City Clerk; James R. East, Police Chief; Edward Miller, Fire Chief; F. Wilson Thrasher, Director of Utilities; James D. Sargent, Street Commissioner; Daniel Fulton, Director of Redevelopment; Clifford Curry, Director of Planning and Marvard Clark, Assistant City Engineer.

OFFICIALS IN ATTENDANCE

Fifty-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 Day asked that the minutes of the October 3, 1968 meeting be corrected on page two, in the last paragraph to show that he voted "aye" on the adoption of Ordinance No. 68-54.

MINUTES OF FORMER MEETING

Councilman Johnson moved that the minutes of the October 3, 1968 meeting be approved as xeroxed, distributed and corrected. Councilman Gray seconded the motion and it carried.

None.

REMONSTRANCES AND OBJECTIONS

Councilman Johnson moved that proposed Ordinance No. 68-48 be advanced to second reading and be read by the Clerk by title only. Councilman Day seconded the motion and it carried.

ORDINANCES - SECOND READING

Ordinance No. 68-48
Sewer Surcharge

The Clerk read proposed Ordinance No. 68-48 by title only.

Councilman Clegg said that in view of the fact we have just completed a public hearing, he would suggest that further action on the proposed ordinance be postponed until a later date.

Councilman Day concurred but said he still felt that rates outside the city must be raised.

Councilman Clendening moved that proposed Ordinance No. 68-57 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-57
Amendment to Traffic
Ordinance

The Clerk read proposed Ordinance No. 68-57 by title only.

Councilman Fee moved that proposed Ordinance No. 68-57 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes 9, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-58 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. 68-58
Voluntary Annexation-Property at Miller Drive and Henderson Street

The Clerk read proposed Ordinance No. 68-58 by title only.

Councilman Clegg moved that proposed Ordinance No. 68-58 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes 9, nays 0.

Councilman Clegg moved that proposed Ordinance No. 68-60 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-60
Voluntary Annexation-West end of the Ralph Rogers' complex on the south side of State Highway 48 between Adams Street and Cory Lane

The Clerk read proposed Ordinance No. 68-60 by title only.

Councilman Clegg moved that proposed Ordinance No. 68-60 be adopted. Councilman Clendening seconded the motion. Roll call vote: ayes 9, nays 0.

Councilman Johnson moved that proposed Ordinance No. 68-61 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

Ordinance No. 68-61
Adopt BOCA Basic Housing Code as Housing Code for City of Bloomington

The Clerk read proposed Ordinance No. 68-61 by title only.

Mr. John Zimmerly spoke out against the adoption of this proposed ordinance saying that he believed housing codes and such as handed down from the government cause more turmoil than they do good.

Councilman Fee read and criticized passages from the BOCA Code and suggested that the Director of Planning be asked to use the BOCA Code as a basis for a housing code that would be feasible for use by the City of Bloomington.

Councilman Clegg said he felt that basically the BOCA Code is a sound one and was inclined to see it adopted with the idea that some of the "Mickey Mouse" be taken out of it.

Councilman Day said he thought Mr. Fee had over emphasized the matter of harassment. Dr. Day said he would vote for the proposed ordinance because he felt the BOCA Code is an excellent guide line and such improvements as are needed can be made in various ways.

President Faris asked City Engineer Long to comment. Mr. Long was of the opinion that harassment would work for the tenant instead of against him because tenants would ask the Engineering Department to get done what their landlords had not done for years.

Mr. Long said some common sense needs to be used in reading the code since any code will have parts that can be picked to pieces. He added that if a neighborhood survey needed to be made, the residents would be notified

first and the inspector would have to have some kind of identification. If an inspector acts, to use Mr. Hornaday's words, in an arbitrary and capricious manner, he would be fired before he went very far.

Councilman Johnson said that both the Council and the Administration had felt for some time that a basic housing code was needed in the City of Bloomington.

At this point, Councilman Fee left the meeting.

Councilman Day said he thought matters such as the necessity for hand rails could be left to the discretion of the inspector.

Miss Maude Bryan said she thought it would be good to have a basic housing code and she knew that both the Council and the Administration would use their usual good judgment in making changes in the code and in enforcement of it.

Councilman Gray moved that proposed Ordinance No. 68-61 be adopted. Councilman Morrison seconded the motion. Roll call vote: ayes 8, nays 1. President Faris said Councilman Fee had asked that a dissenting vote be cast for him.

Councilman Clendening moved that proposed Ordinance No. 68-63 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

The Clerk read proposed Ordinance No. 68-63.

Councilman Clegg moved that proposed Ordinance No. 68-64 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

The Clerk read proposed Ordinance No. 68-64.

Councilman Clegg moved that proposed Ordinance No. 68-65 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

The Clerk read proposed Ordinance No. 68-65.

Councilman Clegg moved that proposed Ordinance No. 68-66 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

The Clerk read proposed Ordinance No. 68-66.

Councilman Clegg moved that proposed Ordinance No. 68-67 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

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

The Clerk read proposed Ordinance No. 68-68.

Councilman Clegg moved that proposed Ordinance No. 68-69 be introduced and be read by the Clerk. Councilman Morrison seconded the motion and it carried.

The Clerk read proposed Ordinance No. 68-69.

ORDINANCES - SECOND READING

Ordinance No. 68-61
(continued)

ORDINANCES - GENERAL AND SPECIAL

Ordinance No. 68-63-Amendment to Traffic Ordinance

Ordinance No. 68-64 - Zoning 1.0 acres on the S. Side of 2nd St. between Woodcrest Dr. & College Mall Rd., from B-1 to B-2

Ordinance No. 68-65 - Zoning Lot No. 69 in Campus Place Addition, from R-3 to B-1

Ordinance No. 68-66 - Zoning 5.0 acres at intersection of S. State Road 37 and Rhorer Rd., from R-1 to B-3

Ordinance No. 68-67 - Zoning Lots No. 454 thru No. 461, Highland Village Addition, from R-1 to R-3

Ordinance No. 68-68 - Zoning 7.0 acres on the W. side of Curry Pike near Otis Elevator Co., from R-1 to R-4

Ordinance No. 68-69 - Zoning 19.998 acres N. of State Road No. 45 and E. of the Pistol Range Road, from R-1 to R-3

Councilman Clegg moved that proposed Resolution No. 68-38 be read by the Clerk. Councilman Morrison seconded the motion and it carried.

RESOLUTIONS

Resolution No. 68-38-Temporary Loan, Parks and Recreation

The Clerk read proposed Resolution No. 68-38.

Councilman Johnson moved that proposed Resolution No. 68-38 be adopted. Councilman Clendening seconded the motion and it carried.

Councilman Johnson moved that proposed Resolution No. 68-39 be read by the Clerk. Councilman Morrison seconded the motion and it carried.

Resolution No. 68-39
Investment in Treasury Bills

The Clerk read proposed Resolution No. 68-39.

Councilman Johnson moved that proposed Resolution No. 68-39 be adopted. Councilman Gray seconded the motion and it carried.

Councilman Clegg moved that proposed Resolution No. 68-40 be read by the Clerk. Councilman Morrison seconded the motion and it carried.

Resolution No. 68-40 - Parks & Recreation Fee Schedule

The Clerk read proposed Resolution No. 68-40.

Councilman Madden moved that proposed Resolution No. 68-40 be adopted. Councilman Clegg seconded the motion and it carried.

None.

PETITIONS AND COMMUNICATIONS

None.

REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS

None.

REPORTS FROM SPECIAL COMMITTEES

None.

REPORTS FROM STANDING COMMITTEES

Councilman Day said he noticed the Street Commissioner had left the meeting but he would like to know the status of the leaf collection program.

REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS

Mayor Hooker said the schedule had been set up and would begin on October 21. He said the schedule would be published in the newspapers from time to time.

Councilman Morrison said his committee would try to have a street lighting report ready by the next meeting.

MESSAGES FROM COUNCILMEN

Councilman Johnson said his committee had had one study meeting on the proposed Sign Ordinance. Another meeting is planned and it is hoped that a report can be given at the November 21st Council meeting.

Councilman Clegg moved that proposed Ordinance No. 68-62 be advanced to second reading and be read by the Clerk by title only. Councilman Morrison seconded the motion and it carried.

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

The Clerk read proposed Ordinance No. 68-62 by title only.

Councilman Johnson moved that proposed Ordinance No. 68-62 be adopted. Councilman Clegg seconded the motion. Roll call vote: ayes 8, nays 0.

None.

OTHER NEW BUSINESS

Mayor Hooker announced that one of the City Fireman, Lt. James Ferguson, had drowned near the Fairfax Beach area at Monroe Reservoir. There were other persons on the boat when it capsized and everyone reached shore safely but Lt. Ferguson. Lt. Ferguson was a seven year veteran with the Fire Department and soon would have been thirty years of age.

MESSAGES FROM MAYOR

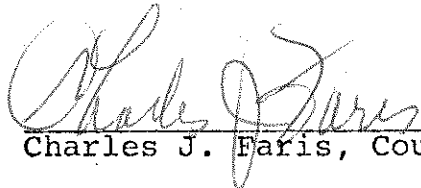
Mayor Hooker announced also that the father of Councilman Fee's wife had been killed tonight in an automobile accident near Hammond, Indiana.

EXAMINATION OF CLAIMS

Councilman Day moved that the claims presented for payment on October 18, 1968 be allowed. Councilman Clendening seconded the motion and it carried unanimously.

ADJOURNMENT

Council President Faris moved for adjournment at the hour of 9:40 p.m., E.S.T.



Charles J. Faris, Council President

ATTEST:

Marian H. Tardy, City Clerk