

In the Council Chamber, Municipal Building on October 17, 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, Richard W. Fee, Robert E. Gray, Ralph H. Johnson, William A. Madden and Jack Morrison

Members absent: None.

Council President Faris announced that the public hearing on proposed Ordinance No. 68-48, the Sewer Surcharge Ordinance would be continued, at this time, as announced at the October 3rd meeting.

Ordinance No. 68-48
Sewer Surcharge
continuance of public
hearing

Attorney Donald Bowen, of Bowen, Myers, Northam and Givan, 150 West Market Street, Indianapolis, Indiana, representing Otis Elevator Company, Westinghouse Electric Corporation and General Electric Corporation, briefly restated his clients' protest to the proposed surcharge. He remarked that such an increase appeared arbitrary and might well affect adversely future economic growth of the city. He asked, on behalf of his clients, that further serious study be given to the situation before final council action is taken on the proposed ordinance.

Attorney William Hornaday again presented a protest to the proposed ordinance, asked the question "what percentage of the sewer expansion actually serves persons living outside the city limits of Bloomington?" and demanded an immediate answer from the members of the Council.

Council President Faris asked Attorney Hornaday "Who do you represent?" Attorney Hornaday looked around the room and said he saw several of his clients in the audience tonight but they still had not given him authority to release their names.

Attorney Bowen immediately said he saw only one person who was employed by any of his clients and he wished it known that neither he nor any of his clients had padded the audience at this meeting.

Councilman Clegg said he appreciated the fine presentation Judge Bowen had made on behalf of his clients, whom he had fully identified. Mr. Clegg said that before he answered any questions on the protest, he would like Mr. Hornaday to identify his clients. Councilman Johnson concurred.

Judge Bowen said he felt that if he were a member of the Council, he would be disinclined to answer any questions at this time.

Council President Faris said there would be no rebuttal unless the names of Attorney Hornaday's clients were given.

PUBLIC HEARING

Ordinance No. 68-48
(continued)

Mr. Hornaday asked "Do I understand that you will not answer the question I asked?" Mr. Faris replied "That is right, sir."

Mr. Hornaday said he would plead for the City to be fair. He and his clients feel there should not be such a change made without a study. He said they knew changes will have to be made but they ask that the City make them fair and equitable and not pass the proposed ordinance without a study.

City Attorney Cotner said it would be his recommendation that the outside rate be raised and the inside rate be lowered rather than use the flat 100% increase in the outside rate.

Attorney Bowen said industry is willing to pay their share but he felt there should be some increase in the inside rate as well as some increase in the outside rate.

Since no additional persons expressed the desire to be heard, this public hearing was adjourned at the hour of 8:15 p.m., E.S.T.