

In the Council Chambers, Municipal Building on March 16, 1967, at 7:30 p.m., E.S.T., Councilman Charles J. Faris presiding.

REGULAR MEETING
COMMON COUNCIL OF THE
CITY OF BLOOMINGTON, INDIANA

Council President Charles J. Faris.

CALL TO ORDER

Deputy City Clerk:

ROLL CALL

Members present: Councilman Ermal Byers, Robert L. Clegg, Clyde Day, Harry Day, Charles J. Faris, Ralph Johnson, Guy Moulden, and David Derge.

Members absent: Richard Fee.

Councilman Johnson introduced Reverend Nelson Bunnage, member of the Methodist Interboard Council, 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; James R. East, Police Chief; Jerome T. Femal, Director, Parks and Recreation Department; F. Wilson Thrasher, Director of Utilities, Marvard Clark, Assistant City Engineer, Marian H. Tardy, City Clerk.

OFFICIALS IN ATTENDANCE

One Hundred forty-four including James Root, Reporter for the Daily Herald Telephone; William F. Forrester, Reporter for the Bloomington Tribune and James Deckard, Reporter for WTTs Radio.

NUMBER OF CITIZENS
IN ATTENDANCE

On the motion of Councilman Clegg, seconded by Councilman Johnson, the minutes of the regular meeting of March 2, 1967 were approved as typed and distributed. Motion carried.

MINUTES OF FORMER MEETING

None.

REMONSTRANCES AND OBJECTIONS

Councilman Clegg moved that proposed Ordinance No. 67-8 be advanced to second reading and be read by the Clerk by title only.

ORDINANCES- SECOND READING

Councilman Johnson seconded the motion and it carried.

Ordinance No. 67-8
Amend Salary Ordinance
(Animal Shelter)

The Deputy City Clerk read proposed Ordinance No. 67-8 by title only.

Councilman Clegg explained the purpose of this proposed Ordinance.

Councilman Clegg moved that proposed Ordinance No. 67-8 be adopted. Councilman Johnson seconded the motion. Roll call vote: ayes - 8, nays - none. Motion carried.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES

Councilman Moulden moved that proposed Ordinance No. 67-12 be introduced and read by the Clerk.

Councilman Clyde Day seconded the motion and it carried.

Ordinance No. 67-12
Voluntary Annexation

The Deputy City Clerk read the proposed Ordinance No. 67-12.

Attorney Barnhart explained this area in proposed Ordinance No. 67-12 .

Councilman Moulden moved that proposed Ordinance No. 67-14 be advanced and read by the Clerk.

Councilman Johnson seconded the motion and it carried.

Ordinance No. 67-14
West Second Street -
Rezoning Ordinance

The Deputy City Clerk read the proposed Ordinance No. 67-14.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES

Councilman Moulden moved that Proposed Ordinance No. 67-15 be advanced and read by the Clerk. Councilman Johnson seconded the motion and it carried. The Deputy City Clerk read proposed Ordinance No. 67-15.

Ordinance No. 67-15
Rezoning Ordinance
Lincoln and First Street

Councilman Moulden moved that proposed Ordinance No. 67-16 be advanced and read by the Clerk. Councilman Johnson seconded the motion. The Deputy City Clerk read proposed Ordinance No. 67-16.

Ordinance No. 67-16
Rezoning Ordinance
Lincoln and First Street

Councilman Moulden moved that proposed Ordinance No. 67-18 be advanced and read by the Clerk. Councilman Clyde Day seconded the motion and it carried. The Deputy City Clerk read proposed Ordinance No. 67-18.

Ordinance No. 67-18
Rezoning Ordinance
Thirteenth and Madison Street

Councilman Moulden moved that proposed Ordinance No. 67-19 be advanced and read by the Clerk. Councilman Clegg seconded the motion and it carried. The Deputy City Clerk read proposed Ordinance No. 67-19. Mr. Marvard Clark explained this proposed Ordinance.

Ordinance No. 67-19
Rezoning Ordinance
Woodburn and I.C.R.R.

Councilman Moulden moved that proposed Ordinance No. 67-17 be advanced and read by the Clerk. Councilman Clegg seconded the motion and it carried. The Deputy City Clerk read the proposed Ordinance No. 67-17. Council President Faris then called for a discussion of the proposed Ordinance.

Ordinance No. 67-17
Rezoning Ordinance
College Mall Area

Attorney Frank Barnhard, representing Ralph Rogers and Company, explained the proposed Ordinance with the aid of aerial photos and maps. He spoke comprehensively in favor of it. Attorney Tom McDonald, representing Dr. Brad Bomba and Dr. Charles McClary presented reasons for opposing the proposed Ordinance. He suggested that this rezoning be stopped at least one-quarter (1/4) of a mile North of Moores' Pike.

Mr. Samuel M. Loescher, 2661 Fair Oaks Drive, spoke against the proposed Ordinance and presented at this time a petition with 139 names stating objection to the rezoning of this area.

Councilman Harry Day asked how many of the signers of the petition live in the City.

Mr. Loescher answered that at least forty (40) of the signers lived in the city as far as he knew.

Councilman Day said he felt this proved that people outside of the City are very much interested in what goes on in the City.

Councilman Clegg asked Mr. Loescher if all the people who signed the petition lived within a reasonable distance of the area in question. Mr. Loescher answered no.

Councilman Derge urged Mr. Loescher and anyone else who was interested to go out and get more signatures to support opposition to the proposed Ordinance.

Attorney Barnhard gave some rebuttal to the comments made by Mr. Loescher.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES
(continued)

Councilman Harry Day said he would be very much interested to know more in regard to what type of structures were planned to go into this area.

Ordinance No. 67-17
Rezoning Ordinance
College Mall Area

Mr. Inslow showed the Councilmen a site drawing for the proposed apartments to be built in this area.

Councilman Day asked what specifications they had for parking, playgrounds for children, etc.?

Mr. Inslow answered that there would be plenty of grass and space for children and there will be covered car ports, one for each apartment unit.

Councilman Day also asked about parking for the commercial area. Would it be all asphalt or would there be some beautification?

Mr. Inslow was not very specific but he affirmed that the entire development would be constructed in accordance with good standards and that it would be attractive.

Mayor Hooker said at this time, to be of record: First, as Mayor of Bloomington I feel it is my responsibility to enter into discussions and negotiate with individuals and enterprises throughout the county. The City of Bloomington wishes to promote the best interest of the total community. I would like to say we have had officially, discussion with the Ralph Rogers Enterprises and we have had negotiations with them. We did this to promote the best interest of Bloomington. We are giving the people a full disclosure. This affords them the opportunity they would not have had if the Rogers Company had proceeded without gaining annexation. It specifically affords an opportunity to adjacent property owners to express their feelings. This has been made a matter of public record. It gives the Common Council and concerned citizens a change to get together to present their views to support or oppose annexation and zoning. This area could have been developed without being incorporated. The only real things the City has as weapons are sewer lines and water. Rogers and Company, in this area, has been granting the City easements to construct water and sewer mains. One of the concessions in granting easements is the right of the property owner to attach on without having to receive special permission. They have these two vital and necessary utilities on their property. We usually insist that people on the outside come to us about these utilities. We feel it is in the interest of the City and in the highest public interest to encourage these people to have their land annexed because we had a feeling there could be apartments or structures that could block this natural flow of the by-pass. We have a high residential area some of which are in and some out of the corporation. If this forty (40) acre tract which is asking to be annexed, were not annexed, it would be entirely possible for Ralph Rogers to go in there and build high density apartments, which would be right up against these people. We feel this is a protection to the people. Likewise, the whole thing we do

support and we do recommend. It is a sound, work-able program. There is more benefit and gain. Here we are acting instead of reacting. This is the official position of the office of Mayor. There was an understanding made to have this area annexed to have the classification as they have petitioned. We think we are servicing the greatest number and bringing the greatest amount of good to the people inside and outside of Bloomington. I do personally recommend this action.

The meeting had a short recess until 10:00 p.m.

Councilman Clegg introduced and read proposed Resolution No. 67-7.

Councilman Clegg moved that proposed Resolution No. 67-7 be adopted. Councilman Harry Day seconded the motion and it carried.

Council President Faris introduced and read proposed Resolution No. 67-8.

Mayor Hooker said he fully endorsed this program.

Councilman Johnson moved that proposed Resolution No. 67-8 be adopted. Councilman Moulden seconded the motion and it carried.

Councilman Harry Day introduced Mr. Guy McElfresh, the new director on the Urban Renewal Project and asked him to say a word or two.

Mr. McElfresh said he believed the project would be completed on or about June 1.

Discussion of the new Electrical Ordinance was opened. Councilman Clegg started the discussion. He said first of all, this was probably the hardest job he has had since he became a City Councilman. Before this Ordinance was passed, the City of Bloomington had no official control over the quality of work in the industry. The original Ordinance was introduced and after much discussion and public discussion, it was decided the important thing was to get an Ordinance on the books. Mr. Clegg felt there were two areas causing confusion and doubts:

- 1) Adoption of the National Electrical Code as a standard for the electrical trade in Bloomington.
- 2) Differences between interpretation and specifications. When this was created, they were creating both, which as far as I (Mr. Clegg) am concerned is the intent that this Board should study this Ordinance and National Electrical Code and approve any interpretation which should be made. This in turn, would be approved by the Board of Public Works, and then become official policy.

A member of persons in the audience stated that if changes became necessary, the electricians would be in favor of these being acted on by the Council so that there could be a public discussion.

Mr. Clegg said interpretation would have to be at a different level with the National Electrical Code, and that would be interpretation.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES
(continued)

Ordinance No. 67-17
Rezoning Ordinance
College Mall Area

RESOLUTIONS

Resolution No. 67-7
Indiana University
Basketball Team

Resolution No. 67-8
Urban Renewal

PETITIONS AND COMMUNICATIONS

Councilman Johnson asked the electricians present if they had trouble in bidding on electrical work because all of the facts were not made available to them? The electricians said this was a big problem to them.

The big question seems to be the fact that in Section 9 of Ordinance 66-42, reference is made to the fact that the Electrical Board may adopt and interpret the standards or conditions of the National Electrical Code. This set of rules and regulations is termed specifications. There seems to be a feeling among the electricians that the specifications are really interpretations.

Mayor Hooker said that right now there is only an Ordinance. This Ordinance calls for the electricians Code for the City of Bloomington to be based on the current National Electrical Code. The list of interpretations now in circulation has no meaning at this time. Interpretations will only be valid after the Board has passed on them and the interpretations are published.

One of the electricians asked that when the interpretations came before the Boards again, the Board consider that the electricians have at least six months period before the rules go into effect, because the electricians bid at least six months ahead of their work.

The interpretations have to go through the Electrical Board, Board of Public Works and the Common Council before they are effective.

Mayor Hooker said at this time that he would suggest that the Electrical Board meet at the earliest possible time and to take this list as a guide. After the approved interpretations have been published copies will be mailed to a select group of builders in the area.

Mayor Hooker also proposed another problem the Electrical Board should handle and that is the problem of licensing. The Mayor suggested we have classifications of groups for licensing, such as ABCD or 1234 groups. The Mayor said he felt sure in his mind that a year from now that everyone will be satisfied.

The electricians asked for two things:
1) Clarification 2) Education.

None.

Councilman Clegg read a letter from the Traffic Commission. Councilman Clegg moved that the City Attorney be instructed to make the necessary changes to the Traffic Ordinance. Councilman Moulden seconded the motion and it carried.

None.

None.

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

REPORTS FROM STANDING
COMMITTEES

REPORTS FROM SPECIAL
COMMITTEES

REPORTS FROM CITY OFFICIALS
AND DEPARTMENT HEADS

Councilman Clyde Day announced a request to install lighting on the street between West Kirkwood and West Adams. Councilman Clyde Day moved that the recommendations of the Lighting Committee be approved. Councilman Clegg seconded the motion and it carried.

Council President Faris mentioned there was a letter from the St. Paul Methodist Church requesting annexation. President Faris moved that the City Attorney should be instructed to prepare an Annexation Ordinance in response to that letter.

None.

None.

Councilman Clyde Day moved that claims presented for payment of March 17, 1967 and March 20, 1967 be allowed. The motion was seconded by Councilman Moulden and it carried unanimously.

Council President Faris moved for adjournment at the hour of 11:00 p.m. E.S.T.

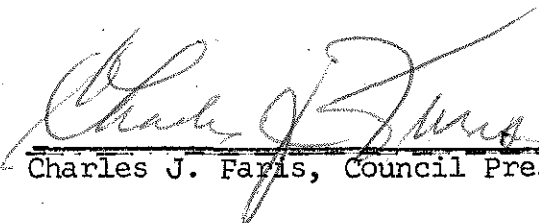
MESSAGES FROM COUNCILMEN

MESSAGES FROM MAYOR

OTHER NEW BUSINESS

EXAMINATION OF CLAIMS

ADJOURNMENT


 Charles J. Faris, Council President

ATTEST:

 Marian H. Tardy, City Clerk

67-8

RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF BLOOMINGTON APPROVING AMENDMENTS
TO THE URBAN RENEWAL PLAN, AND SAID
URBAN RENEWAL PLAN, AS AMENDED

WHEREAS, the City of Bloomington, Department of Redevelopment has in full force and effect an Urban Renewal Plan dated June 15, 1961, which was approved and adopted by said Department of Redevelopment on August 9, 1961, and duly approved by the Common Council of the City of Bloomington; and,

WHEREAS, the City of Bloomington Redevelopment Commission did, on the 7th day of March, 1967, adopt a Resolution amending said Urban Renewal Plan, a copy of which Resolution is attached hereto, marked "EXHIBIT A", and is incorporated herein and made a part hereof by reference; and,

WHEREAS, the City of Bloomington Plan Commission did, on the 9th day of March, 1967, adopt a Resolution determining that said Urban Renewal Plan, as amended, conformed to the Master Plan of the City of Bloomington, and approved said Resolution and the Urban Renewal Plan, as amended,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Bloomington as follows:

1. That the Resolution heretofore adopted by the City of Bloomington Redevelopment Commission on the 7th day of March, 1967, is hereby confirmed, ratified and approved.
2. That the amendments to said Urban Renewal Plan as set out in said Resolution of the City of Bloomington Redevelopment Commission attached hereto and marked "EXHIBIT A" be, and are hereby confirmed, ratified and approved.
3. That the Urban Renewal Plan, as amended, be, and the same is hereby, confirmed, ratified and approved.

4. That the changes made in said Urban Renewal Plan will not adversely affect the efficiency and operation of said Urban Renewal Plan, nor will such changes increase the property cost in any manner, and it will be of public utility and benefit to make and effect such changes.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. That she is the duly qualified and acting City Clerk of the City of Bloomington, Indiana, (hereinafter called the "Locality") and the custodian of the records of the Locality, including the minutes of the proceedings of the Common Council (hereinafter called the "Governing Body"); and is duly authorized to execute this Certificate.
2. Attached hereto is a true and correct copy of a Resolution, including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the 9th day of MARCH, 1967, (hereinafter called the "Resolution of the Governing Body").
3. Also attached hereto is a true and correct copy of the Urban Renewal Plan, as amended.
4. The Resolution of the Governing Body has been duly recorded in the minutes of said meeting and is now in full force and effect.
5. Said meeting was duly convened and held in all respects in accordance with Law and the By-Laws of the Locality, to the extent required by Law or said By-Laws, due and proper notice of said meeting was given. A legal quorum of members of the Governing Body was present throughout said meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of the Resolution of the Governing Body. All other requirements and proceedings under Law, said By-Laws, or otherwise, incident to proper adoption of the Resolution of the Governing Body, including any publication, if required by law, have been duly fulfilled, carried out, and otherwise observed.
6. If the seal appears below, it constitutes the official seal of the Locality and was duly affixed by the undersigned at the time this Certificate was signed. If no seal appears below, the Locality does not have and is not legally required to have an official seal.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 16th day of MARCH, 1967.

Marian Tardy
Name - Marian Tardy

City Clerk, City of Bloomington,
Indiana