

In the Council Chambers, Municipal Building on September 21, 1967, at 7:30 p.m., B.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: Councilmen Ernal Byers, Robert L. Clegg, Clyde Day, Harry Day, David Derge, Charles J. Faris, Richard Fee, Ralph Johnson and Guy Moulden.

Members absent: none

Councilman Johnson introduced the Reverend James L. Ray, pastor of St. Marks Methodist Church, who gave the invocation.

INVOCATION

Mayor John H. Hooker, Jr.; James R. Cozner, City Attorney; Howard A. Young, City Controller; James R. East, Police Chief; F. Wilson Crossman, Director of Utilities; Jerome T. Fernal, Director of Parks and Recreation; Edward Miller, Fire Chief; Harold Clark, Assistant City Engineer and Marion Davis, City Clerk.

OFFICIALS IN ATTENDANCE

Twenty-two including James Root, reporter for the Daily Herald Telephone; Mike Stone, reporter for the Indiana Daily News; Mike Kelsey, reporter for the Daily Herald Telephone.

LIST OF CITIZENS
PRESENT

On motion of Councilman Johnson, seconded by Councilman Moulden, the minutes of the regular meeting, held September 7, 1967, were approved as distributed.

MINUTES OF PREVIOUS MEETING

None.

REPORTS AND RESOLUTIONS

Councilman Moulden moved that proposed Ordinance No. 67-38 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

ORDINANCES - SECOND READING

Ordinance No. 67-38
Boys' Brothers Association

The Deputy City Clerk read proposed Ordinance No. 67-38 by title only.

Harvard Clark, Assistant City Engineer, reported that the ordinance covered new utility lines in the Courtois Pike area.

Councilman Fee moved that proposed Ordinance No. 67-38 be adopted. Councilman Clyde Day seconded the motion. Roll call votes: 9 yeas, nays - none.

Councilman Moulden moved that proposed Ordinance No. 67-39 be advanced to second reading and be read by the Clerk by title only. Councilman Johnson seconded the motion and it carried.

Ordinance No. 67-39
Zoning Ordinance

The Deputy City Clerk read proposed Ordinance No. 67-39 by title only.

Councilman Moulden moved that proposed Ordinance No. 67-39 be adopted. Councilman Byers seconded the motion. Roll call votes: 9 yeas, nays - none.

Councilman Moulden moved that proposed Ordinance No. 67-40 be introduced and read by the Clerk. Councilman Johnson seconded the motion and it carried.

RESOLUTIONS OF THE
COMMON COUNCIL

Ordinance No. 67-40
Zoning Ordinance
Area around Towne apartment
Complex - Smith Road

The Deputy City Clerk read proposed Ordinance No. 67-44.

Councilman Moulden moved that proposed Ordinance No. 67-45 be introduced and read by the Clerk. Councilman Johnson seconded the motion and it carried.

The Deputy City Clerk read proposed Ordinance No. 67-45.

Councilman Moulden moved that proposed Ordinance No. 67-46 be introduced and read by the Clerk. Councilman Johnson seconded the motion and it carried.

The Deputy City Clerk read proposed Ordinance No. 67-46.

Councilman Fee asked that the Clerk read proposed Resolution No. 67-19.

The Deputy City Clerk read proposed Resolution No. 67-19.

Councilman Fee moved the adoption of Resolution No. 67-19. The motion was seconded by Councilman Johnson and it carried.

Mr. Orville Long of the Park Ridge Association read a letter in support of the above resolution. Mr. Mark K. Gap, East Park Ridge; Mrs. Michael Reynolds, League of Women Voters; Mr. Donald Huddle, Grandview Hills Addition; and Mr. Donald F. Carmony of Hoosier Acres all spoke strongly in favor of the resolution. Mr. Carmony added that he felt the City Attorney's salary should be increased.

Mr. Cotner said he would have been pleased if the salary had been increased, not only for himself but for any other who might become City Attorney; however, he felt that no further effort should be made at this time for the recovery of this money. All efforts should go toward getting a Director of Planning as that, in itself, will make the City Attorney's job easier.

Councilman Harry Day said he thought the money should be sought for both the City Attorney and the Director of Planning, and asked for the Mayor's comments.

Mayor Hoeker concurred in the support of this resolution. He said it was gratifying to see the interest Bloomington citizens are taking in what our problems might be years from now with regard to thoroughness, etc.

Council President Davis gave a brief explanation of proposed Resolution No. 67-20.

James R. Register, Legal Counsel for the City of Bloomington Department of Development, asked that the Clerk read the letter accompanying the proposed resolution. The Deputy City Clerk read said letter.

Councilman Johnson moved that Resolution No. 67-20 be adopted. Councilman Moulden seconded the motion and it carried.

Mayor Hoeker commended the council on its decision to adopt this resolution.

INTRODUCTION OF GENERAL
AND SPECIAL ORDINANCES
(continued)

Ordinance No. 67-45
Zoning Ordinance
Wegwiller Land

Ordinance No. 67-46
Zoning Ordinance
12 lots on both sides of
Grant Street between Ninth
and Tenth Streets

RESOLUTIONS

Resolution No. 67-19
Recovery of monies for
Director of Planning and
salary increase for City
Attorney

Resolution No. 67-20
Urban Renewal Land

Councilman Johnson moved that the Mayor be asked to sign and the clerk to attest four copies of the written contract for Sale of Land for Development by a public Body. Councilman Clegg seconded the motion.

RESOLUTIONS

Resolution No. 67-20
Urban Renewal land
(continued)

Councilman Fee moved to amend this motion to require the approval of the contract by the City Attorney. Councilman Harry Day seconded the move to amend. Roll call vote: 9 ayes, nays - none.

Mr. Milton Fisk, Park Ridge Association, read a petition signed by 244 home owners whose families represent a total of 452 children. These people ask that the city give serious thought to locating parks and recreational area in the East end of Bloomington, east of By-pass 37, because of the number of families with children.

PETITIONS AND COMMUNICATIONS

Council President Paris asked if Mr. Fisk had any suggestion as to the location of a park in his own area. Mr. Fisk suggested the land between the Ramada Inn and the Illinois Central Railroad or the land north of Georgetown Village. He stated also that if the land owners would donate the land for this purpose, the Park Ridge residents would help with the parks.

This petition was given to the Municipal Growth Committee for study and Councilman Johnson, the committee's chairman, was asked to report to the council by October 18th if possible.

The Clerk read a list of suggested traffic control changes from the Traffic Commission.

REPORTS FROM OFFICIAL BODIES AND COMMISSIONS

Councilman Clegg moved that the City Attorney be asked to prepare the necessary amendment to the Traffic Ordinance to cover these suggestions. Councilman Johnson seconded the motion and it carried with Councilman Fee casting the only dissenting vote.

Councilman Clyde Day, chairman of the Municipal Utilities and Properties Committee, reported that his committee had studied and does recommend the vacation of a portion of the alley between Woodlawn and Park Avenues and Maxwell Lane and First Street. Mr. Cotner stated that the petition had been withdrawn because a gas line runs in the center of the area in question and the people could not build over it.

REPORTS FROM STANDING COMMITTEES

Vacation of alley, Woodlawn and Park Avenues and Maxwell Lane and First Street
Petition withdrawn

Councilman Clyde Day, chairman of the Street Lighting Committee, moved that a new 175 watt mercury vapor lamp be located at the corner of Alexander and Central Streets. Councilman Fee seconded the motion and it carried.

Mr. Cotner reported that with the receipt, this week, of the remaining deed to the forty acre Winslow Park tract, it is now owned in fee simple by the City of Bloomington.

REPORTS FROM OTHER OFFICIALS OR ORGANIZATIONS

None.

REPORTS FROM SPECIAL COMMITTEES

None.

REPORTS FROM COUNCILMEN

Mayor Hooker announced that the Dedication of the Monroe Purification Plant will be held on Friday, September 29, 1967, at 2:00 p.m.

MESSAGES FROM MAYOR

The Indiana Stream Pollution Control Board awarded a little over one-third of a million dollars to the Sewage Works Program. We hope this will be increased but there is no surety at the moment.

The Street Department has blacktopped South Henderson Street thus easing the traffic load on South Walnut Street.

The new West Side Pool should have been completed by now but leaks have slowed progress.

The Fire Department report will be made at the October 5, 1967 meeting.

The City Engineering Department has done the preliminary engineering work on the site for the new Animal Shelter and the Street Department has done the preliminary grading work.

None.

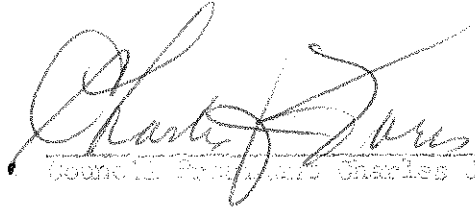
OTHER CITY BUSINESS

Councilman Clyde Day moved that claims presented for payment on September 22, 1967 be allowed. Councilman Byers seconded the motion and it was carried unanimously.

EXAMINATION OF CLAIMS

Council President Paris moved for adjournment at the hour of 9:10 p.m., E.S.T.

ADJOURNMENT


Council President Charles J. Paris

ATTEST:

Marian H. Tardy, City Clerk

RESOLUTION No. 67-19

WHEREAS the Board of Planning Commissioners, the Mayor, and the Common Council of the City of Bloomington on the basis of their individual and collective judgments regarding the needs of the Bloomington community, made budgetary provision this year for the employment of a director of planning and the development of a new master plan beginning in 1968, and

WHEREAS the Mayor and the Common Council also in planning to meet the needs for continuing increases in legal services made budgetary provision for an increase in the salary for the City Attorney beginning in 1968, and

WHEREAS the Monroe County Tax Adjustment Board deleted the salary item for the proposed director of planning and the entire increase in the proposed salary for the City Attorney in its review of the budget of the City of Bloomington for 1968,

NOW THEREFORE, BE IT RESOLVED that this Common Council does strongly protest these actions and it requests the Mayor of the City of Bloomington to appeal the actions to the State Board of Tax Commissioners, it being recognized that:

I. Concerning the proposed position of director of planning:

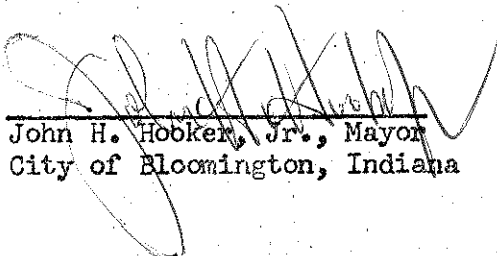
1. The City of Bloomington is Indiana's fastest growing metropolitan area (Source - statistics from private utilities), having a current metropolitan population estimated at approximately 60,000 with a projected population of over 100,000 in less than twenty-five years.
2. The acquirement of greatly needed zoning authority over the large and dynamic two-mile fringe has placed upon the City a heavy responsibility for rapid but thorough and fair planning and zoning of this vital part of the Bloomington community.
3. The proposed director of planning will have essential and immediate duties including the following:
 - (a) To serve as Director of the Department of Metropolitan Planning.
 - (b) To supervise the development of a new and realistic master plan and the continuing use and updating of the master plan after it is developed.
 - (c) To serve as a consultant and expediter for the Mayor, the Board of Planning Commissioners, the Board of Public Works, the Board of Public Safety, and other city officials and boards in all matters relating to planning, land use,

thoroughfares, parks, water, sewer, public facilities, etc.

- (d) He will further develop and maintain meaningful information files for the City officials and commissions regarding state and federal programs and all other programs which can be useful in meeting the growth and development needs of the Bloomington community.
- (e) In collaboration with City officials and Commissions who are concerned, he will draft plans and applications needed to obtain financial benefits from cost-sharing programs of state and federal agencies and he will aid in following through on applications after they are filed.

II. Concerning the planned increase in the salary of the City Attorney:

1. The responsibilities of the City Attorney have increased even in much greater proportion than the increase in population of the Bloomington community since the rapid growth rate has been accompanied by a marked increase in municipal programs requiring highly skillful and time-consuming legal services.
2. The change of the City of Bloomington from Third Class status to Second Class status in 1966 has alone substantially increased the responsibilities and the time requirements of the City Attorney.
3. As one daily newspaper in the City of Bloomington stated in a recent editorial entitled, Pay Boost Will Help, "let's remember the City is a multi-million dollar business." The other daily newspaper stated editorially, "We have pointed out the pitiful compensation of the City Attorney--long hours on problems of gigantic importance to the City." Surely these commentaries are based on realistic and just concepts.
4. The purpose of the City of Bloomington to have firm and just law enforcement indeed requires diligent and highly competent legal service both in advising law enforcement personnel and in prosecuting cases. Such needed service indeed merits the planned increase in the salary of the City Attorney.


John H. Hobker, Jr., Mayor
City of Bloomington, Indiana


Charles J. Paris, Presiding Officer
Common Council of the City of
Bloomington, Indiana

Date _____

RESOLUTION NO. 67-20

RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF BLOOMINGTON APPROVING THE PURCHASE OF
CERTAIN PARK LANDS FROM CITY OF BLOOMINGTON,
DEPARTMENT OF REDEVELOPMENT

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 Depart-
ment of Redevelopment on August 9, 1961, and duly approved by the
Common Council of the City of Bloomington; and,

WHEREAS, the City of Bloomington, Department of
Redevelopment, is now the owner of the fee simple title of certain
real estate within the redevelopment area which is particularly
adaptable for park purposes and which said real estate has been
appraised according to law and is being offered to the City of
Bloomington for the fair market value thereof, to-wit: Thirty-
eight Thousand Five Hundred Dollars (\$38,500.00); and,


WHEREAS, the City of Bloomington possesses the qualification
and financial resources necessary to acquire and develop the said
real estate in accordance with 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 City of Bloomington enter into a written
Contract For Sale Of Land For Redevelopment By A Public Body under
a written agreement dated the _____ day of _____, 1967,
a copy of which said Contract For Sale Of Land For Redevelopment
By A Public Body is attached hereto and marked "EXHIBIT A".
2. That the Mayor of the City of Bloomington is hereby
authorized and directed, for and on behalf of the City of Bloomington

to sign said contract and the City Clerk of the City of Bloomington is authorized and directed to attest the signature of said Mayor to said contract and when said Contract is so signed and attested the same shall be a binding obligation upon the City of Bloomington requiring the said City of Bloomington to comply with all of the terms and conditions set out in said Contract.

3. That there be paid from the funds of the City of Bloomington to the said City of Bloomington, Department of Redevelopment, not otherwise appropriated, in exchange for the delivery to City of Bloomington by the said City of Bloomington, Department of Redevelopment of a Quit-Claim Deed conveying to the City of Bloomington the fee simple title of all of the real estate set out and described in said Contract, the sum of Thirty-eight Thousand Five Hundred Dollars (\$38,500.00).


Charles J. Faris, President, Common
Council of City of Bloomington

ATTEST:

Marian Tardy, City Clerk

QUIT-CLAIM DEED

THIS INDENTURE WITNESSETH, That City of Bloomington, Department of Redevelopment, of Monroe County, in the State of Indiana, Release and Quit-Claim to City of Bloomington, of Monroe County, in the State of Indiana, for the respective considerations hereinafter set out, the receipt whereof is hereby acknowledged, the following described real estate in Monroe County in the State of Indiana, to-wit:

TRACT 1

Northwest Park Area in Dyer Second Addition to the City of Bloomington, Indiana, as shown by the recorded Plat thereof in the office of the Recorder of Monroe County, Indiana, in Plat Book 5 on page 66. The purchase price for Tract 1 is Eleven Thousand Five Hundred Thirty-three Dollars (\$11,533.00).

TRACT 2

Lots Numbered Eighty-two (82), Eighty-three (83), Eighty-four (84), Eighty-five (85), Eighty-six (86) and Eighty-seven (87) in Dyer Second Addition to the City of Bloomington, Indiana, as shown by the recorded Plat thereof in Plat Book 5 on page 66 in the office of the Recorder of Monroe County, Indiana. The purchase price for Tract 2 is Seven Thousand Four Hundred Seventy Dollars (\$7,470.00).

TRACT 3

A part of the Northwest quarter of Section Thirty-two (32), Township Nine (9) North, Range One (1) West, described as follows: Beginning at the intersection of the South side of Fifteenth (15) Street in the City of Bloomington, Indiana, and the East side of Illinois Street, said point being Twenty (20) feet West of the Northeast corner of Lot Eighty-five (85) in the Forest Homes Addition to the City of Bloomington, Indiana, a subdivision as shown on the Plat thereof recorded in the office of the Recorder of Monroe County, Indiana, in Plat Book 3 on page 72; thence running South 89 degrees 35 minutes East 771.15 feet along the South side of Fifteenth (15) Street; thence North 5 degrees

10 minutes East 306.13 feet along the center of Fifteenth (15) Street; thence South 88 degrees 15 minutes East 482.59 feet along the South side of Fifteenth (15) Street to the center of Monroe Street; thence South 1 degree 4 minutes West 373.00 feet along said centerline; thence following the North side of Dyer First Addition South 89 degrees 17 minutes West 229.87 feet; thence South 59 degrees 58 minutes West 140.00 feet; thence South 13 degrees 55 minutes West 115.89 feet; thence South 0 degrees 43 minutes East 274.50 feet; thence South 89 degrees 35 minutes West 597.45 feet; thence North 89 degrees 50 minutes West 138.19 feet; thence North 0 degrees 46 minutes West 72.37 feet; thence North 55 degrees 50 minutes East 169.30 feet; thence North 12 degrees 31 minutes East 146.90 feet; thence North 29 degrees 1 minute West 123.86 feet; thence North 77 degrees 55 minutes West 164.77 feet; thence South 0 degrees 46 minutes East 20.20 feet to the North line of Lot Ninety-nine (99) in Forest Homes Addition; thence North 89 degrees 35 minutes West 111.40 feet to the East side of Illinois Street; thence North 0 degrees 46 minutes West 118.00 feet to the place of beginning, containing 12.82 acres, more or less. Also, Lot Number Ninety-nine (99) in Forest Homes Addition, a subdivision to the City of Bloomington, Indiana, as shown by the Plat thereof recorded in Plat Book 3 on page 72 in the office of the Recorder of Monroe County, Indiana. The purchase price for Tract 3 is Nineteen Thousand Four Hundred Ninety-seven Dollars (\$19,497.00).

The purchase price for Tracts Numbered 1, 2 and 3 is Thirty-eight Thousand Five Hundred Dollars (\$38,500.00).

Subject to all the conditions, obligations and restrictions contained in the Plat of said Dyer Second Addition to the City of Bloomington, Indiana, which Plat is recorded in the office of the Recorder of Monroe County, Indiana, in Plat Book 5 on page 66.

Subject, also, to all of the conditions, obligations and restrictions contained in a certain written Contract For Sale Of Land For Redevelopment By A Public Body dated _____, 1967, between Grantor and Grantee, which agreement is recorded in the office of the Recorder of Monroe County, State of Indiana, in Miscellaneous Record _____.

IN WITNESS WHEREOF, the said Grantor has hereunto set
its hand and seal this _____ day of _____, 1967.

CITY OF BLOOMINGTON, DEPARTMENT OF
REDEVELOPMENT

By _____
Robert W. Linnemeier, President

ATTEST:

George F. Bloom, Secretary

STATE OF INDIANA)
)SS:
COUNTY OF MONROE)

Before me, the undersigned, a Notary Public in and for
said County and State this _____ day of _____, 1967, personally
appeared the within named Robert W. Linnemeier, to me well known to
be the President, and George F. Bloom, to me well known to be the
Secretary of City of Bloomington, Department of Redevelopment, and
the said Robert W. Linnemeier as President signed the above Quit-
Claim Deed and the said George F. Bloom, as Secretary attested the
same and affixed the corporate seal hereto, as their several free
and voluntary act, and as the voluntary act of said City of Bloom-
ington, Department of Redevelopment.

James R. Register - Notary Public

My Commission Expires:

July 1, 1971.

THIS INSTRUMENT PREPARED BY JAMES R. REGISTER,
ATTORNEY AT LAW, 100½ WEST SIXTH STREET, BLOOM-
INGTON, INDIANA.