

## REGULAR MEETING

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chambers in the Municipal Building on Thursday, August 5, 1965, at the hour of seven thirty o'clock (7:30 P.M.) E.S.T. in regular session with Mayor John H. Hooker, Jr. presiding.

Meeting called to order by Mayor John H. Hooker, Jr.

A roll call of the Councilmen was taken by the Clerk-Treasurer.

Members Present: Councilmen - C. Day, H. Day, Derge,  
Faris, Fee, Johnson,  
Moulden

Also Present: Mayor-John H. Hooker, Jr.  
City Attorney-James Cotner  
City Engineer-Raymond Long

Members Absent: None

The meeting opened with invocation by Councilman Johnson.

Mayor Hooker stated to the representatives from the CATV groups that the Board of Works was divided on their decision of awarding of the Contract and there would be no recommendation made to the Council this evening for ratification.

Mr. Samuel Loescher, a member of the audience wanted to know why anyone could not enter into this field of CATV, why can we not control this the same way that we do other natural monopolies.

Mayor Hooker stated that this had been legally advertised and proposals were received and the Board of Works did review these and they would make a recommendation to the Common Council for ratification.

Councilman Johnson moved, seconded by Councilman Moulden, that we devote some time to discussion on CATV this evening. Motion carried unanimously.

Mr. James Nolan, representing General Electric, submitted brochures to the Council that were distributed to the Board of Works this afternoon.

Mr. Bruce Storms representing Community Teleception, Inc., stated that this afternoon the Board of Works at New Castle had awarded the CATV franchise to his group and he would like this made a matter of record.

Attorney Paul Arnold, representing Monroe All-Channel stated that Mr. Loescher's question was void in the fact that his applicant consented to an annual review of increase in rates and further stands ready to submit to the Common Council or the Board of Works to review and approve the available channels on television available to the City of Bloomington. I do not see what regulations in addition to these, that Mr. Loescher would wish.

Councilman Fee distributed additional questionnaires to be answered by the various groups of CATV, to be submitted to Mr. Fee for his own use.

Mayor Hooker stated that they would be notified of the Board of Works action officially.

Councilman Faris moved, seconded by Councilman Johnson, that the minutes of the July 15th meeting of the Council and the minutes of the special meeting of the Council on July 29th, be approved as published and distributed. Motion carried unanimously.

Councilman Fee moved, seconded by Councilman Faris, that proposed Ordinance 65-15 be advanced to second reading and read by title only. Motion carried unanimously.

Clerk-Treasurer read proposed Ordinance 65-15 by title only.

Councilman Faris moved, seconded by Councilman Fee, that proposed Ordinance 65-15 be adopted. Upon a roll call vote the motion was carried unanimously.

Mayor Hooker asked the Chairman of the Annexation Committee, Mr. Bruce Temple, to make a few remarks including the time put into the study made by his Committee.

Mr. Temple stated that Bloomington must grow and we must annex and we must come into the urban area. He stated that the Committee drew lines and they re-drew lines and then we asked each member of the committee to go out and tour the area and then we came back and studied this, and this is how we came up with our new ideas. We think this area proposed for annexation is urban in character and we think Bloomington must grow in this respect.

Councilman Harry Day moved, seconded by Councilman Faris, that proposed Resolution 65-5 be read by the Clerk-Treasurer. Motion carried unanimously.

RESOLUTION 65-5

WHEREAS, for approximately the past seven years the City of Bloomington has not annexed any areas except through voluntary annexation and during most of that time it has been involved in litigation concerning annexation issues, and

WHEREAS, it has been intensely recognized for a long time throughout the Bloomington community that the well-being and desirable growth of the City demands an active, constructive, and balanced program of annexation, and

WHEREAS, this administration decided that the complexities and urgency of annexation required thorough and impartial study by a committee of representative citizens, and

WHEREAS, the appointment of such a committee has resulted in the development of a new, comprehensive annexation line and program,

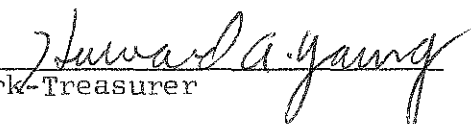
NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Bloomington does now express its hearty appreciation to the committee of citizens for its comprehensive, thorough, and balanced report and recommendations, and

BE IT FURTHER RESOLVED, that the Common Council of the City of Bloomington does now accept and adopt the entire report, and does now assert its firm intention to implement the objectives of the new annexation program of that report through the provision of the needed sanitary facilities, thoroughfares, fire protection, emergency ambulance service, police service, water, and other typical services; such implementation to be effected as promptly as revenues and necessary individual and group actions become available and can be utilized, and

BE IT FURTHER RESOLVED, that the implementation of the new annexation program will be applied equitably on the basis of reasonable priorities in all parts of the annexed areas.

Dated this 5th day of August, 1965.

  
Presiding Officer

  
Clerk-Treasurer

Councilman Harry Day moved, seconded by Councilman Faris, that proposed Resolution 65-5 be adopted. Motion carried unanimously.

Councilman Moulden moved, seconded by Councilman Fee, that proposed Ordinance 65-17 be advanced to first reading and read by Clerk-Treasurer. Motion carried unanimously.

Clerk-Treasurer read proposed Ordinance 65-17.

Councilman Faris made a recommendation that the names of the Mayor's Committee on Annexation be made a part of the minutes. They are:

Bruce Temple, Chairman  
 Jerry Gates, Lowell Whaley,  
 Gene Bender, Mrs. John Fraser Hart,  
 David Stipp, Richard Atwell, Biagio  
 Presti and Guy Moulden

The Mayor asked the citizens present if there was anyone that would like to speak for or against the proposed annexation ordinance.

The following citizens expressed their views in regard to the proposed ordinance. Topics of conversation were water and sewer lines, streets, street lighting, curbs, recreation facilities.

Mr. John Guthrie, Mr. Harold Doerr,  
 Capt. Wendell Pribyl, Mr. Mel Miller,  
 Mr. Noah Bridwell and Mr. Paul Kennedy

Councilman Johnson stated that Mr. Presti's Strategy Committee had met with the Annexation Committee pointing out specifically what their plans were for a peaceful annexation program, and I would like for Mr. Presti to make a statement now.

Mr. Biagio Presti, gave a brief outline of their recommendations to the Committee. The plan was to expand the present Black & Veatch report the City now has in regard to the water transmission line and interceptor lift stations. The proposal was made that the City run a sewer line all the way down a street in a subdivision up to a point where a home owner could hook-on easily.

Mr. Donald Bowen and Mr. Frank Spencer, Attorneys from Indianapolis, Indiana, were present this evening. Mr. Bowen stated that they were the attorneys in the first annexation case, and they were not here this evening to take parts or sides, but we asked the group for permission to attend this evening in order to hold our position in court.

Mr. Cotner apologized to the group, as he had misunderstood their desires and consequently, had misinformed the Council, in stating that there was no hope for a compromise with the remonstrators.

Mr. Presti stated that we did feel that there were potential areas for compromise and we thought it was worthwhile to study this. We did establish some communication, but we did not have an opportunity to talk this over with the remonstrators. The only route now is for the remonstrators to get together to see what their feelings are now.

Mayor Hooker stated that a legal question had arisen. Out of the thousand or more names that now appear on the remonstrance list, if 100 or 200 or 300 or anyone that wants to withdraw their names, can the remainder still have this contested in court?

Mr. Bowen stated that these people could all be called to the stand to testify as witnesses as to what happened at the time they withdrew their names.

Mr. Richard Atwell, a member of the Mayor's Annexation Committee, stated that perhaps it would be wise for the Annexation Committee and the Strategy Committee of the Remonstrators to meet to see if it was possible to resolve their differences without wasting any more time. If not, then we can go ahead with this in court.

Mayor Hooker stated that the Board of Works and the Council have always been able to meet with groups to discuss their problems, but we must go ahead on certain lines.

Mayor Hooker stated that there are times when you have to forget some of the details and some of the special areas and you have to look at the over all problem of the over all improvement of life as it exists. He further stated that the utilities are not tax supported, they are supported by the consumer and the Utility Companies support the City in many ways. The Council is working for the whole of the community. They have endorsed the expansion of the Monroe County Airport, they have endorsed the establishment of the County Health Department, they have decided the water and sewer expansion should be made for not only the City but for the County. We are concerned with the whole community; to us, there is no City and County, we are a whole community trying to expand and trying to do what is best for all the people involved. This is not going to cost the people more or less money, but it is going to make each and everyone pay their equal share of the community growth. We have a duty and a responsibility to this community. In regard to the recommendation to the Council that we meet with the Strategy group, we could set up neighborhood meetings in public buildings in the areas of the proposed annexation plan to discuss in detail their problem and at least try to explain our plans to them.

Councilman Harry Day moved, seconded by Councilman Moulden, that the members of the Council and the Officials of the City Government make themselves available to the Remonstrators of the 1962 ordinance or any other group concerned with annexation to try and bring forth a solution to the problem of annexation as rapidly as possible. Motion carried unanimously.

Mr. James Kent, representing Dr. J. A. Creek, presented a petition to vacate an alley to the Council for their consideration.

The petition was turned over to Councilman ~~Paris~~<sup>FARIS</sup> committee and a recommendation is to be made at the next scheduled Council meeting.

Councilman Clyde Day stated that he had a request for street lights at the following locations, and a study would be made and a recommendation will be made in the near future. Entrance of Rosehill Cemetery at the end of Fourth Street, off East Third Street in one of the additions and a replacement on East Seventh Street.

Monthly activity reports for the month of July were received from the following City Departments ----- Sanitation, Water, Police, Fire, Humane Shelter, Rosehill and Engineering.

Mayor Hooker stated that the City of Bloomington has submitted to the Public Service Commission of Indiana the "shotgun" proposal for rate structure of water and sewer charges and preliminary proposal for the \$8 million Water Improvement Projects.

Mayor Hooker stated that the State Highway Commission of Indiana has the intentions of erecting a traffic signal at the intersection of 17th Street and Kinser Pike, and the City of Bloomington has entered into an agreement with the Commission, making the City responsible for the paying of the light bill for this signal as it is the obligation of the State for the installation and material for the construction of this signal.

Mayor Hooker stated that bids will be received on August 11th, concerning the water utility projects, Project B-1, B-2, B-3 and E.

Mayor Hooker stated that we will advertise for bids on the booster stations, water transmission line, Monroe intake, raw water tower and 12 vertical turbine pumps, with bids to be received on August 26th.

Mayor Hooker expressed the pride of the City in having one of the oldest firms in the State of Indiana, choosing to build in the City of Bloomington, namely, the H. P. Wasson Company.

Councilman Faris moved, seconded by Councilman Moulden, that the Federal Government be requested to conduct a special census for the City of Bloomington in the year 1965 at the estimated cost of \$9,000 and that Councilman Derge be instructed to form a liason committee to coordinate the special census with research interests at Indiana University which might wish to participate through formulation of additional sections of the questionnaire. Such extra charge would be paid for by the research interests involved. Motion carried unanimously.

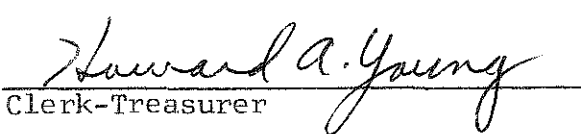
Councilman Clyde Day moved, seconded by Councilman Moulden, that claims presented for payment on August 5th and 6th, be allowed. Motion carried unanimously.

No further business to come before the Council, Councilman Moulden moved meeting be adjourned.

Meeting adjourned at the hour of ten ten o'clock (10:10 P.M.) E.S.T.

  
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 Presiding Officer

ATTEST:

  
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 Clerk-Treasurer