

REGULAR MEETING

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chambers in the Municipal Building on Thursday, December 17, 1964, 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.

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

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

Members Absent: None

Meeting opened with invocation by Councilman Johnson.

Councilman Fee moved, seconded by Councilman Derge, that the minutes of the Council Meeting, December 3, 1964, be amended as follows; the names of Mr. Trubbitt and Mr. Osterburg be removed from the section of the minutes stating they were in opposition to the traffic pattern on Third Street and Atwater Avenue to an uncommitted section.

Councilman Fee moved, seconded by Councilman Faris, that minutes of the Common Council Meeting, December 3, 1964, be approved as published and distributed and amended. Motion carried unanimously.

Mayor Hooker asked Clerk-Treasurer to give a report on Appropriation Ordinance 64-4.

Mr. Young stated that he had met with the State Tax Board man in the County Auditor's office this week in regard to the appropriation that the Council passed last meeting and everything was in order. He further stated that the representative was highly complimentary to the Mayor and his secretary and the Clerk-Treasurer in the way the appropriation had been prepared, in that they had given a reason for each of the appropriations which many cities do not have when they present their appropriations; consequently, they have to spend several hours discussing the need for the appropriations with the people.

Councilman Faris moved, seconded by Councilman Fee, that proposed Ordinance 64-30 be advanced to first reading and read by Clerk-Treasurer.

Mayor Hooker explained that the Common Council last spring and summer in the study of the downtown parking lots and parking meter problems, that one of the actions and policies that was established was that beginning January 1, 1965, all ten cent meters would be changed to five cent meters.

After explanation by the Mayor motion was carried unanimously.

Clerk-Treasurer read proposed Ordinance 64-30.

Councilman Moulden moved, seconded by Councilman Fee, that proposed Ordinance 64-31 be advanced to first reading and read by the Clerk-Treasurer.

Mayor Hooker asked Assistant Engineer Clark to give a description of this area.

Mr. Clark explained that this was 6 lots all on Rogers Street between 11th and 12th Street, 4 on the west side and 2 on the east side.

After explanation by Mr. Clark the motion was carried unanimously.

Clerk-Treasurer read proposed Ordinance 64-31.

Councilman Moulden moved, seconded by Councilman Johnson, that proposed Ordinance 64-32 be advanced to first reading and read by the Clerk-Treasurer.

Councilman H. Day asked Mr. Clark to describe this ordinance.

Mr. Clark explained that this involved two lots located on the north side of West 7th Street adjoining the east end of the United Presbyterian Cemetery. The people proposed to build apartment buildings on them.

Mayor Hooker stated that a group of people under the direction of Rev. Kirk, who is asking for this rezoning are trying to improve this area so as to have better housing for the colored people.

After discussion and explanation the motion was carried unanimously.

Clerk-Treasurer read proposed Ordinance 64-32.

Councilman Moulden moved, seconded by Councilman Fee, that proposed Ordinance 64-33 be advanced to first reading and read by the Clerk-Treasurer.

The Clerk-Treasurer explained that this was in regard to the dog ordinance.

Councilman H. Day asked the City Attorney to describe the meaning of misdemeanor and the fee charged.

City Attorney Cotner explained that a misdemeanor is any crime less serious than a felony, punishable by a fine or imprisonment up to one year. He explained further that this is aimed basically at the person rather than the dog, we have this authority at this time, but this spells it out. The procedure followed here is that when an individual feels that a dog is working a hardship on them, they would have to under oath, file an affidavit and on the basis of the affidavit the judge would issue a subpoena for that person to appear in court and then the rest would be up to the court.

Councilman Derge stated that Section 11- Chapter 5 states unlicensed dogs, does this refer to only the unlicensed dogs?

City Attorney explained that in 1963 this was amended and the words "if unlicensed" was amended to read "No owner or keeper of any dog shall permit such dog to run at large."

After the discussion between the Council and the City Attorney, the motion was carried unanimously.

Clerk-Treasurer read proposed Ordinance 64-33.

Councilman Johnson presented the following resolution.

RESOLUTION 64-11

Every community rightfully takes great pride in the continued success of its home-owned and home-operated industry, and

Whereas, the Johnson Creamery Company, founded in Bloomington on December 16, 1912, has observed its 52nd anniversary in appropriate ceremonies within its own group, and

Whereas, the Johnson Creamery Company for more than half a century has in addition to its business success given freely of its facilities, its products and its personnel to innumerable civic enterprises in the interest of building a stronger, more livable Bloomington, and

Whereas, the Johnson Creamery Company has for more than a half-century exerted an industry leadership in its own processing and marketing field, be it resolved that the City Council of Bloomington, in official action on this date, commends the ownership and management of this organization for its acknowledged achievements, and extends best wishes for continued success in the years to come.

Councilman Johnson moved, seconded by Councilman Faris, that proposed Resolution 64-11 dealing with the recognition of the 52nd anniversary of the Johnson Creamery Company be adopted.

Councilman H. Day stated he felt this was right in having this brought to the attention of the Common Council in recognizing private enterprise within the community and should be properly recognized and official action taken.

After discussion the motion for adoption of Resolution 64-11 was carried unanimously.

Councilman Fee asked for Attorney Cotner to give a report on the Poplar Dormitory.

Attorney Cotner explained that it was proposed that Poplar Dormitory pay to the City of Bloomington the same price that they paid for a fee simple interest in the adjoining line on a front footage basis and the City rather than give them a fee simple title would give them an easement of 75 years or the life of the building which ever is shorter. Attorney Cotner stated that the clients realized that we could demand any amount we wanted too, but we were trying to be fair with the client as well as ourselves. Calculating with their figures they derived at a price of \$1,527 and the figure we finally arrived at and I agreed to recommend to the Common Council and the Board of Public Works & Safety was \$2,000 to be paid now.

Councilman H. Day asked City Attorney Cotner to comment on how this situation arose, that they are occupying some of our street.

Attorney Cotner explained that he had no idea, but he did state that the plans were drawn by individuals out of town and perhaps they misunderstood the map of our City.

Councilman H. Day asked Attorney Cotner to comment on how he and Mr. Baker arrived at the figure - 75 years.

Attorney Cotner stated that he had suggested 30 years. Mr. Barnhart, representing Mr. Baker, stated he did not know at this time how long the mortgage would be, but he estimated it would be 50 years. Then, I suggested the length of the mortgage and he stated it would probably always be mortgaged and we then arrived at 75 years.

Attorney Cotner stated that they should consider the following:

- (1) Will the City require an 80 foot street - or will the street be so designed as not to require this 80 feet
- (2) Is this a fair value, that is if they had come to us prior to building the structure and asked us for an easement would we have charged them this much money.

Councilman Faris asked that the members of the Council take a poll vote.

Faris ---- 75 years - \$2,000
 H. Day --- 60 to 75 years with a price between \$2,000 & \$5,000
 Derge ---- \$660 a year for the first 20 years and \$1,000 a year until the expiration of the easement
 Fee ----- 75 years - \$2,000
 Johnson -- 60 years - \$2,000
 Moulden -- 60 years - \$2,000
 C. Day --- 60 years - \$2,000

After the poll vote the City Attorney thanked the Councilmen and stated that he had something to go on and there would be a proposal before the Council at the January meeting for their consideration.

Councilman Moulden presented the following petition for voluntary annexation to the City of Bloomington and asked that the City Attorney be instructed to prepare the proper ordinance to be presented to the Council at their January meeting.

PETITION

December 16, 1964

To the Common Council
of the City of Bloomington
Bloomington, Indiana

Jerry Gates, as Agent of Fred Adams and Ella Adams, of Orlando, Florida, requests the annexation of the following described real estate located in Monroe County, Indiana:

A part of the Southeast quarter of Section 34, Township 9 North, Range 1 West, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point 62 feet west of the southeast corner of the southeast quarter of Section 34, Township 9 North, Range 1 West, thence running North 118.5 feet, thence running East 4 feet, thence running North 43 feet and 3 inches, thence running West 4 feet, thence running North 18 feet and 3 inches, thence running east 62 feet, thence running south 180 feet and to the place of beginning.

Such real estate is owned by Mr. and Mrs. Adams and is located upon East Third Street immediately west of the Huddle Restaurant.

S/ Jerry W. Gates
Jerry W. Gates

This annexation involves a small section of land on East Third Street immediately west of the Huddle Restaurant owned by Mr. & Mrs. Adams. It is land between Buck Lemon's furniture and the Huddle Restaurant.

Councilman C. Day stated that he had calls from people on Old 37 between Bethel Lane and Griffey Hill asking about fire hydrants and he was wondering what he might tell the people when they call.

The Mayor stated that at this time it was not feasible for the City to install fire hydrants because this land is outside the corporation; however, the City would install the hydrants at a cost of approximately \$400.00 if the citizens paid for them.

Councilman Derge expressed deep concern with the appointment of the newly established office as County Co-ordinator. He felt that this gentleman although a politician had not had the proper training and qualifications for this job. He further stated that the City need be fearful about placing any confidence in the future of the County being able to help relieve the City of some of the problems concerning the growth of the community and he further stated that the Common Council should do something in regard to their privilege of having jurisdiction over a two mile fringe area.

Councilman H. Day stated that taking note of Councilman Derge's concern that the County Planning Commission met today and regardless of the points of his statement, I think that the Common Council should favor the need of obtaining zoning rights for the fringe at a very high priority and we should attempt to work out an arrangement in the immediate future to negotiate with the County Commission to the zoning of the two mile fringe area.

Councilman Johnson stated that he felt that since the co-ordinator was a politician of long standing and very well acquainted with the county that he felt that he would do a very good job. He went further to say that he felt that we should wait and see whether they have a good zoning plan and can do an effective job.

City Engineer Long stated that the County had not adopted a master plan that they only had a zoning ordinance and the new co-ordinator would be an enforcer and not a planner. His duties would be spelled out in the zoning ordinance.

Mayor Hooker stated that we have a deep feeling and concern for the fringe area of Bloomington as well as the county and he felt that the county was going to have to do something about the county around Bloomington or we are going to have to in order for our own self preservation, if for no other reason.

Councilman Fee stated that as we all understand, Dr. Cook, City Sanitarian, will no longer have a job with the City after the first of the year as he is going to be working for the county and he would like to say thanks for a job well done and he expressed that he had done a better job for us than we had anticipated and we hope that under the County Health Plan you will give them as good service as you have given us.

Dr. Cook thanked the Council members for their appreciation and stated that he had enjoyed working with them.

Mayor Hooker expressed that there will be a short Council Meeting held on Wednesday, December 30, 1964, at the hour of 6:00 P.M. at which time we will approve claims and end up the year's work.

Councilman Moulden asked about the item under the Water Department to O. E. Davis Lumber Company, he wanted to know where the Company was located and also what this check was for.

He was told that the Company was in Indianapolis and that this was a refund check on a water meter installation deposit.

Councilman H. Day moved, seconded by Councilman Moulden, that claims presented for payment, December 18, 1964, be allowed. Motion carried unanimously.

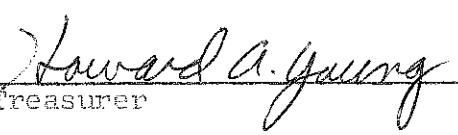
No further business to come before the Common Council, Councilman Fee moved meeting be adjourned.

Meeting adjourned at the hour of nine fifty o'clock (9:50 P.M.) E.S.T.



 Presiding Officer

ATTEST:



 Clerk-Treasurer