

REGULAR MEETING

March 19, 1957

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chambers in City Hall, on Tuesday, March 19, 1957, at the hour of seven-thirty o'clock (7:30 P.M. C.S.T.) in regular session, with Mayor Thos. L. Lemon presiding.

Members present: Chitwood, Simpson, Sikes, Miller,
Van Meter, Engelman, and Cook.

Members absent: None.

The meeting was opened with a prayer by Reverend E.E. Wright of the First Free Methodist Church.

Councilman Sikes moved, seconded by Councilman Cook that the minutes of the prior meeting be approved as presented to the Common Council; motion unanimously carried.

Councilman Sikes moved, seconded by Councilman Simpson that Ordinance No. 3, 1957 be given second reading by title only. Upon a roll call vote Ordinance No. 3, 1957 was given second reading by title only by the Clerk-Treasurer.

Councilman Sikes presented the following amendments to Ordinance No. 3, 1957 pertinent to controlling recreation and sanitation at Lake Lemon and explained to the Council the changes made:

CHANGES IN LAKE ORDINANCE

Page 2, SECTION I. DEFINITION OF TERMS.

(i) "Subdivision" is defined as a tract of land jointly owned by one or more persons whereon five (5) or more dwellings or business establishments of any kind or character are proposed to be located.

CHANGED TO READ:

(i) "Subdivision" is defined as a tract of land owned by one person, or jointly owned by two or more persons, whereon five (5) or more dwellings or business establishments of any kind or character are proposed to be located.

Page 4, SECTION IV. BOATING, under Paragraph 12:

- a. Authorized inspection officer.
- b. All boats must be inspected and approved before licensing.
- c. All boats must be licensed by the City of Bloomington before launching.
- d. Speed -- 25 miles per hour during daylight, 10 miles per hour at night, 5 miles per hour in marked zones.
- e. No water skiing or surfboard riding within 400 feet of the shoreline except on take off or landing.
- f. All children age 12 or under must wear life jackets while in the boat, and any person engaged in water skiing or surf riding must likewise wear a life jacket.

CHANGED TO READ:

- A. All boats must be inspected and approved by an authorized inspection officer before licensing.
- B. All boats must be licensed by the City of Bloomington before launching.
- C. Speed -- Not in excess of 25 miles per hour during daylight, 10 miles per hour at night, and 5 miles per hour in marked zones.
- D. No water skiing or surfboard riding within 400 feet of the shoreline except on take off or landing.
- E. All children age 12 or under must wear life jackets while in the boat, and any person engaged in water skiing or surf riding must likewise wear a life jacket.

Page 6, SECTION IV, BOATING, under Paragraph 15:

The following sentence added:

RA and RB licenses shall be transferable from one boat to another, without additional expense, but such boat to which transfer is made shall be inspected as herein provided.

Page 6, SECTION IV, BOATING, under Paragraph 18:

18. There shall be no limit as to the length of a sail boat but no other boats or crafts shall be permitted on LAKE LEMON that are more than eighteen (18) feet long from bow to stern and no floating or stationary raft shall be permitted on the LAKE except that boats up to twenty-five (25) feet from bow to stern may be permitted with the payment of an additional ten dollars (\$10.00) on license fee for any boat exceeding eighteen (18) feet but not exceeding twenty-five (25) feet in such length.

CHANGED TO READ:

18. There shall be no limit as to the length of a sail boat but no other boats or crafts shall be permitted on LAKE LEMON that are more than Eighteen (18) feet long from bow to stern and no floating or stationary raft shall be permitted on the LAKE except that boats up to twenty-five (25) feet from bow to stern may be permitted with the payment of an additional ten dollars (\$10.00) on license fee for any boat exceeding eighteen (18) feet but not exceeding twenty-five (25) feet in length.

Page 6, SECTION IV, BOATING, under Paragraph 23:

23A. All craft of less than eighteen feet (18') in length in operation at night, whether moving or stationary, must display one white light which is visible at three hundred and sixty (360) degree angle, for a distance of one fourth mile. All craft over eighteen feet (18') in length in operation at night, whether moving or stationary, must display one white light as described above and in addition must display one red port marker light and one green starboard marker light.

Page 7, SECTION IV, BOATING, under Paragraph 24:

The word "licenses" changed to "licensees".

Page 10, SECTION XII, PENALTIES:

Any person may, within six (6) hours of notification of violation, pay to the Lake Patrolman or the Clerk-Treasurer of the CITY OF BLOOMINGTON, as a penalty for, and in full satisfaction of, such violation, the sum of Ten (\$10.00) dollars.

CHANGED TO READ:

Any person may, with six (6) hour of notification of violation, pay to the Lake Patrolman or the Clerk-Treasurer of the CITY OF BLOOMINGTON, as a penalty for, and in full satisfaction of, such violation, the sum of Ten (\$10.00) Dollars, for which a receipt will be given.

Councilman Sikes moved, seconded by Councilman Engelman that proposed Ordinance No. 3, 1957 be amended before a vote on adoption as suggested by Councilman Sikes. Upon a roll call vote the motion was unanimously carried.

Councilman Sikes, moved, seconded by Councilman Engelman that Ordinance No. 3, 1957 be adopted as amended. Upon a roll call vote Ordinance No. 3, 1957 was duly adopted as amended.

Councilman Sikes introduced for first reading Zoning Ordinance No. 4, 1957. The Clerk-Treasurer gave Ordinance No. 4, 1957 first reading.

HAA061

Councilman Sikes moved, seconded by Councilman Miller that Ordinance No. 4, 1957 be advanced to second reading and read by title only. Upon a roll call vote the motion was unanimously carried and the Clerk-Treasurer gave Ordinance No. 4, 1957 second reading by title only.

Councilman Cook moved, seconded by Councilman Chitwood that Ordinance No. 4, 1957 be duly adopted. Upon a roll call vote Ordinance No. 4, 1957 was duly adopted.

Councilman Sikes presented for first reading Ordinance No. 5, 1957 and it was given first reading by the Clerk-Treasurer.

A petition was read by the Clerk-Treasurer petitioning for supplemental income for the City Judge signed by thirty-six (36) freeholders residing within the City of Bloomington, Indiana.

Councilman Sikes moved, seconded by Councilman Simpson that Ordinance No. 5, 1957 be advanced to second reading by title only. Upon a roll call vote Ordinance No. 5, 1957 was advanced to second reading by title only.

Councilman Engelman moved, seconded by Councilman Chitwood that Ordinance No. 5, 1957 be duly adopted. Upon a roll call vote Ordinance No. 5, 1957 was duly adopted.

Councilman Engelman proposed that the following Resolution be adopted by the Council:

RESOLUTION

Whereas: The Salk vaccine is recognized as a safe and effective means for eliminating polio, and

Whereas: this dread disease can virtually be eliminated from our community only when each and every child and adult citizen has become immune and incapable of harboring this morbid and crippling virus, therefore be it

Resolved: that every effort be put forth to instill in the minds of every citizen, and in particular the head of every family, the necessity for undelayed cooperation in this urgent campaign, and that no citizen be permitted to dismiss this obligation without the realization of the jeopardy in which he places himself, his family and fellow man.

Councilman Engelman moved, seconded by Councilman Van Meter that Resolution No. 5, 1957 pertinent to Salk vaccine as introduced by Councilman Engelman be approved and adopted. Upon a roll call vote Resolution No. 5, 1957 was duly adopted.

The Clerk-Treasurer read a petition from George L. Bowers for cutting of curbs and sidewalks at 1218 North College.

Councilman Cook moved, seconded by Councilman Miller that the petition by George L. Bowers at 1218 North College for cutting of curbs and sidewalks be referred to Street and Alley Committee; motion unanimously carried.

The Clerk-Treasurer read a petition from Ronald E. Johnson of Tau Kappa Epsilon for the removal of curbs at 703 East Seventh Street.

Councilman Simpson moved, seconded by Councilman Cook that the petition of Tau Kappa Epsilon for removal of curbs at 703 East Seventh Street be approved and the work to be done under the supervision of the City Engineer; motion unanimously carried.

The Clerk-Treasurer read a petition from Mrs. Fannie Anderson of 221 West 14th Street for permission to cut the curb.

Councilman Simpson moved, seconded by Councilman Miller that the petitioner, Mrs. Fannie Anderson be granted permission to cut the curb at 221 West 14th Street under the supervision of the City Engineer; motion unanimously carried.

Councilman Simpson moved, seconded by Councilman Cook that the City Attorney be instructed not to oppose the petition of the Acacia and ATO Building Committee to vacate the alley between Lots 1 and 2 and Lots 3 and 4 in University Heights Addition, and running South from Third Street to the East West alley; and said City Attorney is further instructed to see that the four foot strip off of the South end of Lots 1 through 5 in University Heights Addition is dedicated for alley purposes, and recorded according to law as heretofore agreed by the petitioning parties, and that a transcript of the Court proceedings be furnished to the Clerk-Treasurer for her records, and the City Engineer for his records; motion unanimously carried.

Mr. James Register, representing Sarkes Tarzian, Inc. appeared before the Council to request that the City not oppose the suit on file in the Circuit Court against the City by Sarkes Tarzian, Inc. Councilman Cook moved, seconded by Councilman Chitwood that the Council recess for ten minutes; motion unanimously carried.

Councilman Simpson moved, seconded by Councilman Cook that the City Attorney be instructed not to oppose the vacating of twenty-nine (29) inches on Eighth Street as petitioned for by Mr. Register for Sarkes Tarzian, Inc.; motion unanimously carried.

Mayor Lemon asked City Attorney Baker for his report on the legal procedures of street improving. Mr. Baker reported that each Councilman had been furnished a detailed report on these procedures and that he would be happy to meet with anyone interested in improvement of their street as to the Barrett Law procedures or negotiations between property owners.

Councilman Miller moved, seconded by Councilman Simpson that the petitioner contact the Board of Public Works and Safety for further information pertinent to improvement to streets; motion unanimously carried.

Councilman Cook moved, seconded by Councilman Miller that the Traffic Commission Recommendations be referred to the Traffic Committee for further study and report; motion unanimously carried.

Councilman Simpson moved, seconded by Councilman Cook that the Shell Oil Company be granted permission to cut curbs at 14th Street and College Avenue and the work to be done under the supervision of the City Engineer and the State Highway Superintendent; motion unanimously carried.

Councilman Engelman read a letter of resignation as follows:

2612 E. Dekist Street
Bloomington, Indiana
March 19, 1957

The Common Council
City of Bloomington, Indiana

Gentlemen:

At this time, I wish to request your acceptance of my resignation from the Common Council of the City of Bloomington, Indiana.

It is extremely difficult for me to make this request, but, in the light of personal considerations, I feel that this decision is necessary. I entered the role of a councilman with a great amount

HAA061

of thought, and I assure you that I tender my resignation after an equal amount of deliberation.

With your permission, I wish to make my resignation effective on March 31, 1957.

I feel that much constructive work has been accomplished during the past year, and I am sure that each member of the council will continue to strive for one goal -- a better Bloomington in which to live, work and play. As you work for this city and its citizens, I wish you the greatest success.

Sincerely,

S/ George T. Engelman, Jr.

George T. Engelman, Jr.

Councilman Miller moved, seconded by Councilman Van Meter, that Councilman Engelman's resignation as of March 31, 1957 be accepted with regrets; motion unanimously carried.

Councilman Sikes moved, seconded by Councilman Miller that a special meeting be held on April 2, 1957 at 7:00 P.M. for the purpose of electing a councilman to succeed Councilman Engelman; motion unanimously carried.

Mayor Lemon asked City Attorney Baker to read the law concerning resignation of Council members. The Clerk-Treasurer was instructed to make such notification in a local newspaper.

Meeting adjourned.

W. J. Lemon
Presiding Officer

ATTEST:

Mary G. Blunck
Clerk-Treasurer