

REGULAR MEETING

Tuesday, April 17, 1956

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chamber in City Hall, on Tuesday, April 17, 1956, at the hour of seven-thirty o'clock (7:30 P.M. DST) in regular session, with Mayor Lemon presiding. The meeting was opened with a prayer by Rev. Franklin McAllister.

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

Members absent: None

The minutes of the previous meeting were approved on motion of Councilman Sikes, seconded by Councilman Chitwood.

Councilman Cook moved that the Council go on record requesting the Board of Public Works and Safety instruct Consoer, Townsend and Associates that their action as to swimming pool and golf club house be limited solely to preliminary drawings at this time; further action to be taken after preliminary drawings. Councilman Engelman seconded motion; motion carried.

An Ordinance as presented by Councilman Sikes, was submitted approving the petition for rezoning the following property: "A part of Seminary Lot No. 37 to the City of Bloomington, Indiana, bounded as follows, to-wit: Commencing on the East line of Rogers Street in said City at a point 17 rods South of the North line of said Seminary lot; thence running East 12 rods; thence South 58 feet; thence West 12 rods to the East line of Rogers Street; thence North 58 feet to the place of beginning, and;

100 feet of even width off of the East end of the following described real estate:

Part of Seminary Lot No. 37 in the City of Bloomington, Indiana, bounded and described as follows, to-wit: Beginning at the East line of Rogers Street in said City at a point 20 rods $8\frac{1}{2}$ feet South of the North line of said Seminary Lot No. 37; thence South 45 feet; thence East 12 rods; thence North 45 feet; thence West 12 rods to the place of beginning, from its present zone classification of R3 Multiple Dwelling Zone to a B3 General Business Zone.

On motion of Councilman Van Meter, seconded by Councilman Cook, and by a unanimous roll-call vote, the Ordinance was advanced to second reading by title only, waiving the rule which would prevent its being passed at this meeting. On motion of Councilman Miller, seconded by Councilman Van Meter, and by a unanimous roll-call vote, Ordinance No. 7, 1956, entitled "An Ordinance to Amend the Zoning Ordinance Adopted July 18, 1950, Which Became Effective November 17, 1950" was declared duly adopted.

Councilman Sikes presented for first reading an Ordinance rezoning the east half of Lots No. 80, 81, 82, 83, 84 and, also, Lots No. 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, all in Kenwood Addition to the City of Bloomington, Indiana, from an R1 One-Family Zone to a B1 Limited Business Zone. On motion of Councilman Sikes, seconded by Councilman Simpson, Ordinance No. 8 was advanced to second reading by a unanimous roll-call vote. After second reading by title only, on motion of Councilman Miller, seconded by Councilman Chitwood, Ordinance No. 8 was duly adopted by a unanimous roll-call vote.

Councilman Sikes presented an Ordinance rezoning Lots No. 1 and 8 Matthew Campbell Addition, Bloomington, from R1 One-Family Zone to B1 Limited Business Zone for first reading. Councilman Van Meter moved Ordinance No. 9 be passed to second reading by title only; Councilman Sikes seconded motion, followed by a unanimous roll-call vote. On motion of Councilman Van Meter, seconded by Councilman Chitwood, Ordinance No. 9, 1956, entitled "An Ordinance to amend the Bloomington Zoning Map, dated July 18, 1950" was declared duly adopted by a unanimous roll-call vote.

Councilman Sikes introduced an Ordinance rezoning part of Seminary Lot Number Sixty-three (63) beginning at the northeast corner of

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said Lot #68, running thence west to the branch; thence south with the branch 66 feet, thence east to the east line of said Seminary Lot; thence north to the place of beginning. The property is located at 626 South Walnut Street and is to be changed from a B1-Limited Business Zone to a B3-General Business Zone. Ordinance No. 10 was advanced to second reading by title only, on motion of Councilman Miller, seconded by Councilman Van Meter, passed unanimously by a roll-call vote. After second reading by title only, Ordinance No. 10, 1956, was declared duly adopted on motion of Councilman Miller, seconded by Councilman Van Meter, and passed unanimously on a roll-call vote.

Councilman Sikes presented an Ordinance to rezone property on either side of North Walnut Street beginning with and including Lot No. 37 in Hunter Addition on the West side of North Walnut Street, and beginning with and including Lot No. 3 in Clark Addition on the East side of North Walnut Street and extending North along both sides of said North Walnut Street to the South line of the property owned and occupied by the Illinois Central Railroad, from its present Residential Zone classifications to B1 Limited Business Zone. On motion of Councilman Simpson, seconded by Councilman Chitwood, the proposed Ordinance was advanced to second reading by title only by a unanimous roll-call vote. Councilman Sikes moved that the Ordinance be duly adopted; Councilman Chitwood seconded motion. After many interested persons expressed their opinions on the Ordinance, on motion of Councilman Miller, seconded by Councilman Sikes, the Ordinance was rejected and returned to the Plan Commission with the following objections:

- (1) About twelve persons opposing
- (2) Several persons have new homes and do not wish a business to enter the area
- (3) Rezoning would contribute to traffic hazard in area
- (4) Would lessen value of property from Eleventh Street north to the railroad
- (5) The following amendment would take care of the present petitioner's request: That Lots Thirty-three (33) to Thirty seven (37) inclusive in Hunter Addition be rezoned from their present R3 zone to B1 zone, and from Tenth Street to Cottage Grove on East Side of Walnut, and from Tenth Street to Eleventh Street on the West Side of Walnut.

Councilman Sikes presented an Ordinance rezoning all of the property which abutts either side of Rogers Street beginning with and including Lot No. 69 Matthew Campbell Addition on the east side and beginning with and including Lot No. 4 Duncan Addition on the west side and extending north to Dixie Street on the west side and to and including Lot No. 21, Matthew Campbell Addition on the east side from R1 One-Family Zone to B1 Limited Business Zone. On motion of Councilman Van Meter, seconded by Councilman Sikes, the Ordinance was advanced to second reading by title only on a unanimous roll-call vote. After second reading, on motion of Councilman Sikes, seconded by Councilman Van Meter, and by a unanimous roll-call vote, Ordinance No. 11, 1956, was declared duly adopted.

Councilman Sikes introduced Resolution No. 2, 1956, of the Common Council approving action of Board of Public Works and Safety relative to downtown off-street parking, and moved that the Resolution as read be adopted. Councilman Chitwood seconded motion and by a unanimous roll-call vote, Resolution No. 2, 1956, was declared adopted as follows:

Resolution of The Common Council
approving action of Board of Public
Works and Safety

BE IT RESOLVED by the Common Council of the City of Bloomington that the reports and surveys of the Bloomington Chamber of Commerce relative to downtown off-street parking submitted to The Board of Public Works and Safety, showing the need and necessity for off-street parking facilities in said area of the City of Bloomington, and the Resolution adopted by The Board of Public Works and Safety on the 16th day of April, 1956, approving said study and survey be accepted and approved.

BE IT FURTHER RESOLVED, That The Board of Public Works and Safety is now directed and authorized to prepare plats, the description of lands proposed to be acquired and used, and plans and drawings for the proposed project, together with a general estimate of the cost of acquisition, construction and installation of the project.

Said Board of Public Works and Safety is further directed, when such plats, descriptions, plans and drawings have been prepared, to adopt a Resolution approving the same, declaring that upon investigation it has been found necessary for the proper protection of public safety and welfare, and that it will be a public utility to the City of Bloomington and its citizens to construct and maintain the off-street automobile parking facilities described therein;

And said Board of Public Works and Safety is further authorized and directed to acquire such lands as the plan has provided, to-wit: the Arthur Day lands at the Northeast corner of Seventh and Walnut Streets, the lands of the Baptist Church at the Northwest corner of Fourth and Washington Streets, and the lands of Mary A. Kerr and being a part of In Lots 93 and 94 adjoining the alley to the west of the Baptist Church property, at prices not to exceed the following: For the Day property, \$80,000.00, for the Baptist Church property, \$90,000.00; for the Kerr property, \$27,500.00;

The Board of Public Works and Safety is further directed in said Resolution to set out the probable cost and the proposed method of financing said project.

Said Board of Public Works and Safety is further directed that said Resolution, plats, descriptions, plans, and drawings and general estimate of cost shall be open to inspection by all persons interested in or affected by the acquisition of the property proposed to be acquired or the construction or the operation of said project. Notice of the adoption of said resolution, and the purport thereof, and of the fact that such plats, descriptions, plans or drawings and general estimate of costs have been prepared and can be inspected, shall be published once each week for two weeks in two newspapers in the City of Bloomington, Monroe County, Indiana which notice shall name a date not less than ten days after the date of the last publication on which said Board will hear all persons interested in or affected by such proceedings and consider any remonstrances or objections filed and will finally determine the public utility and benefit to the City and its citizens.

The Board of Public Works and Safety is directed to take all steps and proceedings and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under Chapter 190 of the Acts of the Indiana General Assembly for the year 1955.

S/Thos. L. Lemon, Mayor

ATTEST:

S/Mary A. Dunlap, Clerk"

A petition to install street light at intersection of Ninth and Rogers Streets was presented. On motion of Councilman Sikes, seconded by Councilman Chitwood, the request was referred to Committee on City Utilities for investigation and report; motion carried.

On motion of Councilman Engelman, seconded by Councilman Van Meter, and after the motion carried, reports of the Park Board were entered into the minutes as follows:

"Members of Common Council
City Hall
Bloomington, Indiana
April 13, 1956

Gentlemen: Please be advised the Park Board at their regular meeting April 13, 1956 discussed the proposed timber sale at Cascades Park. Recently members of the Board spot checked this timber.

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Many points were discussed, such as value of these trees to the Park, their present condition and hazards of removal. We are concerned about possible damage to Park property in getting to these trees for removal. The Board feels at the present time when the Park is in full operation, grass, picnic area, utilities being used, roads and other facilities in good condition there could be extensive damage to the Park and some danger to Park users. Considering all angles the damage could be more than receipts involved.

However we do feel the marked timber east of old Road #37 can be cut. We approve this sale if the Council so desires. We would like to specify that all removal of this section be done under Park Superintendents supervision or whoever he designates. Also that logging operations shall be done with as little damage as possible and no grassed areas to be damaged.

cc-Mayor Lemon
Mary Alice Dunlap

Very truly your's
Board of Park Trustees,
S/Eugene H. Bender, President"

"Common Council
City Hall
Bloomington, Indiana

April 14, 1956

Dear Sir's:

The Board of Park Trustees, at their regular meeting April 13th, 1956 discussed the proposed sale of Cascades Park ground.

Please be advised the Board does not recommend any more Park land be offered for sale.

We wish to take this opportunity to thank Mayor Lemon and all members of the Council, for their help and co-operation on Park problems.

We further assure you that we are willing at all times to work with the present administration for the future betterment of our Parks.

cc-Mayor Lemon
David Chitwood

Very truly yours
Board of Park Trustees,
S/Eugene H. Bender, President"

On motion of Councilman Engelman, seconded by Councilman Van Meter, action concerning the sale of park timber in the Cascades and Waterworks area was postponed until fall; motion carried.

On motion of Councilman Van Meter, seconded by Councilman Miller, the Council approved the recommendation of the Park Board not to offer any more park land for sale; motion carried.

On motion of Councilman Simpson, seconded by Councilman Miller, permission was granted Hanson Motor Company to cut the curbs from entranceway on 17th Street in order to widen entranceway to their garage subject to the supervision of the City Engineer and the permission of the State Highway Commission; motion carried.

On motion of Councilman Simpson, seconded by Councilman Van Meter, the petition requesting permission to have row boats on Griffey Creek Lake was postponed until the next Council meeting; motion carried.

On motion of Councilman Miller, seconded by Councilman Cook, the City Attorney was instructed to prepare an amendment to the Bean Blossom Lake Ordinance so as to change the speed limit for motor boats from 15 to 25 miles per hour; remove the length limit on sail boats; and to leave the length limit on motor boats as it is; motion carried.

Councilman Engelman requested that the following letter be entered into the minutes of the Common Council; Councilman Miller seconded motion; motion carried:

"TO: THE BOARD OF PUBLIC WORKS AND THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON.

We, the undersigned, being four members of the Common Council of the City of Bloomington, do hereby request that the Board of Public Works abstain from employing James Barnhill, or any other person, to make a survey among prospective sewer users, for the following reasons:

1. The purpose of the proposed survey, as it was reported in the newspaper, was to inquire of prospective sewer users, whether they would prefer to pay the established hook-on charge of \$242.00, or \$50.00.
2. We believe that this question is a useless waste of time, money and energy, for the reason that any person, buying a given commodity, would prefer to pay the lower price, if the commodity could be sold at a lower price.
3. This inquiry would serve no more useful purpose than asking the citizens of Bloomington whether they would prefer to pay the present or proposed tax rate, or a tax rate approximately one-fifty of the amount of such tax rate.
4. The Ordinance of the City of Bloomington, which is now in effect, and which was reconsidered by this Administration at its first meeting in February, establishes a rate that provides for monthly payments of \$6.73, which we believe to have been fairly established and within the means of all prospective sewer users.
5. This Common Council was advised at its first meeting in February that it would be a violation of the City's contractual obligation with bondholders to reduce the proposed sewer hook-on charge; and that it would jeopardize the credit of the City of Bloomington, and particularly the credit of the Sanitation Department.
6. We further believe that a policy changing the present hook-on charge from \$242.00 to \$50.00, would jeopardize the future of the City of Bloomington inasmuch as the City will grow, the student population of Indiana will be doubled or even tripled, and for the further reason that we all hope that new Industries will come to Bloomington in the very near future, all of which will require the installation of additional sewer lines; and that the users of the sewer system cannot afford to subsidize this anticipated new growth.
7. The proposed survey, as it was reported in the newspaper, will not influence the undersigned in changing their decision arrived at, at the first meeting in February, at which this matter was fully debated and decided.
8. It is urged that the Board of Public Works take the necessary steps to advise the public that they will abide by the existing and duly adopted Ordinance of the City of Bloomington, and that persons, residing along the proposed lateral lines, will be encouraged and given the opportunity to connect to the sewer system without further uncertainty or delay.

We ask that this letter be made a matter of record, and recorded in the Minutes and action of the Common Council of the City of Bloomington.

S/R. R. Cook
 S/George Engelman, Jr.
 S/W. L. Miller
 S/F. J. Van Meter"

On motion of Councilman Cook, seconded by Councilman Simpson, the following recommendations of the Traffic Commission were requested approved and added to the schedule in the Traffic Ordinance; motion carried:

1. It is recommended that the City Council request the State Highway Commission of Indiana to impose a two hour parking limit on the north side of Third Street between Lincoln and Washington Streets and that spaces be marked off to indicate the parking stalls. This would make a total of five two hour parking spaces on this side of the street since there is no parking from Washington Street to the first driveway.

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2. It is recommended that the City Council send a resolution to the State Highway officials to prohibit parking on the west side of College Avenue from Third Street south to the Alley immediately south of the City parking lot.

3. It is recommended that the following streets be made one way: Cottage Grove from Walnut Grove to Walnut Street, one-way west bound; East 11th Street from Washington Street to Walnut Grove, one-way east bound; East 9th Street from Woodlawn Avenue to Walnut Street, one-way west bound.

4. Inasmuch as the city officials need designated parking spaces in order to properly perform their duties in an efficient manner, it is the commission's recommendation that the Council set aside the five spaces on the north side of Fourth Street beginning at Walnut Street and running west and directly south of the City building. It is further recommended that five additional spaces be set aside for the same purpose on Fourth Street beginning east of Ruple's Market and running east on the north side of Fourth Street. It is recommended that the spaces so allotted be allotted to the city departmental vehicles and official's cars and not designate each individual stall for an individual department or official.

5. It is recommended that the council prohibit parking on the west side of Henderson opposite the driveways into the recently constructed university parking area at the old School of Religion. This recommendation is that the parking be prohibited for a distance of 44 feet on the west side of Henderson from the north alley line south to the north sidewalk of residence number 330 South Henderson. It is also recommended that parking be prohibited on the west side of Henderson from the north alley line south to the south edge of the sidewalk at the residence number 314 South Henderson. This is to take care of the two alleys from which the cars exit from the parking lot.

On motion of Councilman Cook, seconded by Councilman Van Meter, claims to be paid April 18 and April 30 were approved; motion carried.

On motion of Councilman Van Meter, seconded by Councilman Cook, the meeting adjourned.



 Presiding Officer

ATTEST:



 Clerk-Treasurer