

REGULAR MEETING

Tuesday, September 4, 1956

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chamber in City Hall, on Tuesday, September 4, 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. Blackwood of the Reformed Presbyterian Church.

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

Members absent: None

The minutes of the former meeting were read by the Clerk-Treasurer. After the reading of the minutes, Councilman Cook moved, seconded by Councilman Chitwood, that the minutes be approved as read. Motion carried unanimously.

Councilman Cook moved that Section Five (5) of the ordinance pertinent to the contract between BAA and Westinghouse and the City of Bloomington be deleted and that Section Six (6) be numbered Section Five (5) and that Section Seven (7) be numbered Section Six (6). This action being an amendment to the ordinance just prior to second reading. A lengthy discussion was held by the Common Council; City Attorney, Leroy Baker; the Mayor; the Attorney for Westinghouse and BAA, James Register, Mr. Don Hanson of BAA, and Attorney Len Bunger. Attorneys Bunger and Register requested that the Common Council vote in favor of the amendment as moved by Councilman Cook. Both attorneys argues, along with Mr. Hanson, that the State law as passed in 1955 had no bearing or was in no way pertinent to the contract with BAA and Westinghouse and likewise was not necessary nor controlling as to the passage of the ordinance. Mayor Lemon pointed out that the deletion of Section Five (5) as follows:

"Section 5. Sewer service shall not be provided to any property which lies outside the corporate limits of the City of Bloomington, until and unless the owners, requesting said services, sign and execute a waiver of their right to protest future annexation, which waiver shall describe said property, and shall be binding upon said applicants, and their successors in title; and shall be a covenant running with the land so described."

would be in direct violation of Ordinance No. 16, 1955, which is a city law as passed by the prior administration. Mr. Baker, City Attorney, advised the Common Council that in his opinion the 1955 Statute was a controlling factor and that Section Five (5) should be left in the ordinance. Mr. Don Hanson stated that regardless of legality the Council should pass and approve the amendment as offered by Councilman Cook. Councilman Sikes stated that he and all other Councilmen present including the Board of Works and Safety were all desirous of having the Westinghouse plant moved to Bloomington area but that he did not think the Council should violate the law or that the Council was above the law. After further discussion a roll-call vote was called, and the amendment as offered and moved by Councilman Cook and seconded by Councilman Engelman was unanimously approved. Councilman Cook moved, seconded by Councilman Engelman, that amended Ordinance No. 26, 1956, be given second reading by title only. Motion carried. After second reading by title only, by the Clerk-Treasurer, Councilman Engelman moved, seconded by Councilman Cook, that Ordinance No. 26, 1956, be adopted as amended. Upon roll-call vote, Ordinance No. 26, 1956 was duly adopted unanimously subject only to public advertising and public hearing as required by law. Councilman Miller moved, seconded by Councilman Van Meter, that Ordinance No. 26, 1956, be duly advertised and a public hearing held on September 18, 1956, 7:30 P.M., DST. Motion carried unanimously.

Councilman Engelman reported that the City Attorney, Leroy Baker, is at present preparing an ordinance on combining the Parks and Recreation Departments. The ordinance will be ready at the next Council meeting.

Councilman Cook moved, seconded by Councilman Van Meter, that the Traffic Schedule of the Traffic Ordinance be amended to authorize a three-way stop sign at Eighth and Clark Streets as requested by citizens of said area. Motion carried.

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Councilman Cook presented a petition requesting a four-way stop sign at the intersection of Highland and Maxwell Streets. Councilman Cook moved, seconded by Councilman Simpson, that the four-way stop be installed and that the Traffic Schedule of the Traffic Ordinance be amended accordingly before the start of school. Motion carried unanimously.

The Clerk-Treasurer read a petition from residents on Madison Street objecting to RCA employees parking their cars in front of the residents' homes and to the littering habits of said employees. Councilman Cook moved, seconded by Councilman Van Meter, that the petition be referred to the Traffic Committee of the Common Council and the Traffic Commission for further study. Motion unanimously carried.

The Clerk-Treasurer read a letter from Mr. Loren Ayres, of the Traffic Commission, as follows:

"August 29, 1956

The Bloomington City Council
City Hall
Bloomington, Indiana

Gentlemen:

The Bloomington Traffic Commission would be pleased if the members of the City Council would assist them by recommending to the Indiana State Highway Commission the need of sidewalks on the North side of East 3rd Street from Overhill Drive to Livingston's Market. It is our understanding that we must have their permission before they can be constructed.

We would also appreciate your help in getting East Third Street re-zoned from the new By-pass to Union Street for a 30 mile speed limit.

The above items are necessary for us to complete our plans for the safety program in the Rogers School area.

Very truly yours,

BLOOMINGTON TRAFFIC COMMISSION

Loren Ayres, Chairman"

Councilman Engelman moved, seconded by Councilman Miller, that the Common Council approve the Traffic Commission's request and that a letter of recommendation be directed to the Indiana State Highway Department. Motion carried unanimously.

Mayor Lemon read a letter from Mr. C. E. Vogelgesang, Chief Engineer of the State Highway Department, advising the Mayor that the state would eliminate the Seventh Street access entrance to the new State Road #37 By-pass.

Councilman Simpson moved, seconded by Councilman Van Meter, that Mr. William G. Cogswell be given permission to cut curb and build a concrete drive ramp at 912 East University Street. The work is to done under the supervision of the City Engineer. Motion carried.

Councilman Cook moved, seconded by Councilman Simpson, that the reports from Fire, Street, and Plumbing Departments for the month of August be approved and placed on record. Motion carried.

Councilman Engelman asked the status regarding the stop lights on Third and Jordan, First and Walnut, and College and Eleventh Streets. Mayor Lemon advised Councilman Engelman that an appropriation ordinance will be introduced at the next Council meeting in which is provided among other things the funds for installing the new traffic signals.

Councilman Engelman moved, seconded by Councilman Miller, that the Traffic Commission be requested to make a thorough study of the unmarked street intersections and make a report of its findings plus recommendations to the Common Council. Motion carried unanimously.

Councilman Engelman asked Chief Huntington if the Police Department had the funds to pay for a Decibel Meter. Chief Huntington advised the funds were available but they had to be transferred from another item in the police budget.

Mayor Lemon advised the City had advertised for bids on the installation of signal lights at the intersections of Eleventh and College, First and Walnut, and adjusting of signals at Third and Jordan Streets. Two bids were received, both from out of the city. The job was awarded to A. H. Lusty of Mooresville, Indiana. The installation will be completed in approximately six weeks.

Councilman Cook moved, seconded by Councilman Chitwood, that the list of claims be paid and approved for September 5, 1956. Motion carried unanimously.

The meeting was adjourned by Mayor Lemon.

Thos. L. Lemon
Presiding Officer

ATTEST:

Margaret Dunlap
Clerk-Treasurer

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