

REGULAR MEETING

Tuesday, October 2, 1956

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chamber in City Hall, on Tuesday, October 2, 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. J. W. Keith of the Fairview Methodist Church.

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

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.

Councilman Sikes requested second reading on the ordinance regarding the sale of a building to be removed on city owned land as petitioned by the Aviation Board. The ordinance was given second reading by the Clerk-Treasurer. After second reading of the ordinance, Councilman Miller moved; seconded by Councilman Simpson, that Ordinance No. 27, 1956, be duly adopted. Upon roll-call vote, motion unanimously carried.

Councilman Sikes moved, seconded by Councilman Chitwood, that the ordinance pertinent to rezoning certain areas be duly adopted. Councilman Cook moved, seconded by Councilman Van Meter, that the Council have an informal public hearing on the rezoning of Lot No. Ninety-Nine (99). Motion carried. After the hearing and discussion by interested persons, a roll-call vote was held and Ordinance No. 28, 1956, was unanimously adopted.

A petition for annexation was read by the Clerk-Treasurer from residents of the Forest Homes Addition. Councilman Sikes moved, seconded by Councilman Miller, that the petition for annexation as read be referred to the Plan Commission for further study and then be referred back to the Common Council. Motion carried.

A request for curb cutting was read by the Clerk-Treasurer as follows:

"Bloomington, Indiana
September 20, 1956.

To the Common Council,
City of Bloomington, Indiana

Gentlemen:

We would like to be granted a permit to cut the concrete curb and sidewalk for a 12 foot wide driveway entrance to our property at No. 338, South Washington Street, city. X

Mr. and Mrs. Charles E. Murphy"

Councilman Simpson moved, seconded by Councilman Miller, that the petition be granted and work be done under the supervision of the City Engineer. Motion carried.

A request for curb cutting was read by the Clerk-Treasurer as follows:

"October 2, 1956

Common Council
City of Bloomington

In behalf of Richard Letsinger, we would like to have permission to cut the curb at 420 South Walnut Street. X

The curb has already been removed for a distance of 31 feet. We would like to remove approximately 7' of curb at south of present drive and approximately 12 feet at north of present drive.

This is asked for to permit a driveway on north side of lot and also on south side of lot which is 50 feet wide.

We have already secured a building permit to construct a business building 31 feet wide in the center of 50 ft. lot leaving 9' -6" for driveway on either side of building driveways to allow customers access to parking facilities on rear of lot.

Parking space available is 50 ft. x 70 ft.

May we have your prompt attention.

Thank you

Very truly yours,
SUPERIOR LBR. & BLDG. CO.

Councilman Simpson moved, seconded by Councilman Miller, that the request be referred to the Traffic Commission and the Street and Alley Committee of the Common Council. Motion carried.

A request by Mr. Leon Crohn to cut a curb was read by the Clerk-Treasurer as follows:

"October 2, 1956

Dear Sir:

To Whom This May Concer, I, Leon Crohn, ask for permission to cut the curb at 1133 South Rogers for the purpose of an approach to a gasoline service station located at this address. The amount of cutting will be determined by the City Engineer. Lot 76 Campbells Addition.

Thank you,
Leon Crohn"

Councilman Simpson moved, seconded by Councilman Van Meter, that the petition be approved and work be done under the supervision of the City Engineer. Motion carried.

The request from Mr. Om Shuler to cut the curb on both sides of his driveway at 300 South Fairview, was read by the Clerk-Treasurer. Councilman Miller moved, seconded by Councilman Cook, that the petition be referred to the Street Committee. Motion carried.

A petition for a street light was read by the Clerk-Treasurer as follows:
"TO WHOM IT MAY CONCERN:

Gentlemen:

There is a length of street from Rogers Street to Morton Street without a street light on West First Street where Madison Street would come through if it ran straight through the area. This two block stretch is without adequate lighting at night, and we the undersigned would appreciate it greatly if a light could be installed midway between Rogers Street and the Railroad on West First Street and the railroad on West First Street.

There are a number of school-age children living in this area, some in grade school, others in high school, and we feel that it would be much safer for them if there were a street light in this area."

Councilman Cook moved, seconded by Councilman Van Meter, that the petition be granted. Motion carried.

Mr. Bruce Temple's letter of resignation from the School Board was read by the Clerk-Treasurer. Councilman Van Meter moved, seconded by Councilman Miller, that the letter of resignation be accepted and that the minutes of record include thanks and commendation to Mr. Temple for his splendid service to the community as a member of the School Board. Motion carried.

Councilman Sikes moved, seconded by Councilman Simpson, that the September reports from the Fire, Street, Plumbing, and Health Departments be approved and placed on file. Motion carried.

The Common Council considered nominations for a School Board member to complete the term of Mr. Bruce Temple who resigned as of October 1, 1956. Nominations received were as follows: Mr. John Mahm nominated by Councilman Miller, Mrs. Nida Sileo nominated by Councilman Sikes and Mr. John Brogneaux nominated by Councilman Simpson. Mayor Lemon called for a roll-call vote. The votes were tabulated as follows: One (1) vote for Mr. Brogneaux, Two (2) votes for Mrs. Sileo, and Four (4) votes for Mr. Mahm. The votes were recorded as follows: for Mr. Mahm; Cook, Engelman, Miller, and Van Meter; for Mrs. Sileo, Sikes and Chitwood; for Mr. Brogneaux, Simpson. Councilman Miller stated that he considered School Board membership as being a non-political body and that the membership should be appointed as to qualifications. He further stated that the four Republican members of the Common Council had met prior to the Council meeting and had decided upon Mr. Mahm because of his unquestionable qualifications. Mr. Sikes also stated that he thought the membership of the School Board should be non-political and should be based on qualifications and that he felt a woman should serve on the School Board and also that the area west of Collage Avenue should also be represented on this very important body. Mr. Sikes also stated that inasmuch the Republican members of the Common Council had indicated the appointment to be non-political he could not understand why all the members of the Common Council had not taken part in the discussion concerning the appointment to the School Board and the discussions in determining the qualifications of the some fourteen (14) people who had indicated a desire to serve on the School Board as reported by Mr. Miller. After the discussion and vote, Mayor Lemon announced the legal appointment of Mr. John Mahm.

Councilman Engelman requested the chair to be permitted to read a three-page "Statement of Principles" as follows:

"October 2, 1956

A Statement of Principles
on the
Sewer Hook-on Fee Question

Criticism, fanfare, hot words and questions have been cast about in the Bloomington Council Chamber, the city's newspapers, in our homes and wherever concerned citizens have met, regarding the question of whether this city should have a \$242 or a \$50 hook-on charge for sewer connections to newly installed lines.

In behalf of the citizens of this city and with the intent of promoting good government, the four Republican members of this Council wish to make our stand on the sewer hook-on question both clear and definite. In order to accomplish at least a part of this purpose, I have been authorized by my fellow Republican colleagues on this Council to read this prepared statement.

The sewer question has been before our residents since January of this year, when the present mayor attempted to pass an ordinance that would have changed the ordinance (#16, 1955) which was passed by the previous administration, setting forth the \$242 hook-on fee. The \$50 fee ordinance failed to pass simple because the Republican council members asked for a clear-cut assurance that the proposed change to a \$50 fee would be financially sound and according to the advice from the engineering and bonding firms. Opinions expressed by representatives of these firms to the City Council early this year left the impression that the change to a \$50 hook-on fee would; (1) be based on computations made by the mayor and not the engineering firm, and ; (2) be risking the credit standing of the city by making such a change immediately after having sold bonds on the basis of a \$242 hook-on fee which promised a more secure income to the bondholders.

Faced with these opinions from the engineering firm and bonding company, the four Republican Council members, who were not saddled with the Mayor's campaign promise of a \$50 hook-on charge, could follow but one course--that of refusing to jeopardize either the city's sewer program or the credit of our community. Until these questions were answered by competent authority in favor of the \$50 hook-on, these four councilmen had but one choice to make--that of demanding further proof that ordinance 16, 1955 was not legal and valid. These councilmen and the city have waited for this proof, but it has not been forthcoming.

The Mayor stated flatly--at first--that the previous administration's ordinance setting the \$242 figure was illegal. This statement he has never proven. In fact, he recently made the statement in Council meeting that we had a law on the books concerning sewer hook-ons--referring to the \$242 ordinance of 1955! He said that a \$50 hook-on charge would more than earn enough revenue to pay the \$2 million bond issue. The First Boston Corporation which purchased our bond issue flatly stated that a change to the \$50 figure would endanger our city's credit.

At the present time, the Mayor is about to receive the results of a "survey" of potential sewer users. He evidently intends to use the results of this poll to prove that a \$50 hook-on fee is best for Bloomington residents. Any survey that asks the citizens if they would rather have their sewer hook-on for \$50 or for \$242 will undoubtedly show that anyone will seek his utility at the lowest possible rate. But is that proving the \$50 is the right cost to put on a sewer hook-on, or that \$242 is not? Will such a survey eliminate any danger to our city's credit? Even is the Mayor claims that his poll solves the entire problem as to what the hook-on charge should be, it still remains our opinion that only the consulting engineers and the bonding representatives can give our city the answers which we need.

We are not "wedded" to any particular hook-on fee. There is absolutely no magic in the sums of \$50, \$242, \$500, or even \$1,000. To us, the amount charged for a hook-on must meet two basic requirements:

First, it must provide sewer facilities to our citizens at the lowest possible cost--obviously the best situation would be to provide free hook-ons.

Second, it must provide needed revenue to pay for the program in order that the credit rating of our city and its utilities will be maintained.

Now having made clear our general attitude, we further state that any changes to Ordinance 16, 1955, must be based upon the same considerations given it, when it was first adopted. These changes must rely on the same authoritative counsel and be acceptable to financial authorities in the same manner as was the original.

We will adopt any revisions to Ordinance 16, 1955 that are unqualifiedly approved in writing by Consoer, Townsend and Associates, Ross McCord, Ice and Miller and the First Boston Corporation or any other security dealer of similar standing in the field of municipal securities in lieu of the latter firm.

Further, to avoid any misunderstandings, when we say an "unqualified endorsement," we refer to such statements as appear in the "Income Analysis Connection Charges and Services" schedule attached to the engineer's letter to Mayor Lemon dated January 24, 1956 as follows in part: "The above estimated number of connections at \$50 per connection made by Thomas L. Lemon."

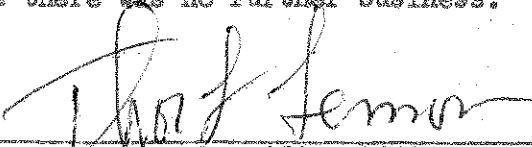
If representatives of the three groups referred to above give this council statements which assure our citizens of the soundness of a \$50 sewer hook-on fee, we can not--we will not oppose such a change! This, in the name of the many citizens who are now or soon will be ready for sewer service, is a challenge to have this matter cleared. It is our hope that our Board of Public Works will get and present to the Council within the next several weeks, complete reports as above described, from the authorities named.

Finally, if it may be called "politics" to desire that the financial ventures and administrative activities of this city be based on sound judgment and complete information, then we four Republican members of the Council are guilty of political maneuvering. We are encouraged to believe, rather, that as elected servants of Bloomington, we must study every question with thoroughness and to the best of our ability--this we have attempted to do since we took office on January 1, 1956."

Councilman Engelman moved, seconded by Councilman Cook, that the "Statement of Principles" be entered into the Council records. Motion carried. Mayor Lemon advised the Common Council that the Board of Works had no comment to make on the dramatic reading of the "Statement of Principles" by Councilman Engelman. He further advised that the Board of Works would have a report on the sewer hook-on question within the near future.

Councilman Cook moved, seconded by Councilman Chitwood, that the claims for October 2, 1956, be approved. Motion carried.

Mayor Lemon adjourned the meeting since there was no further business.



 Presiding Officer

ATTEST:



 Clerk-Treasurer