

REGULAR MEETING

Tuesday, March 1, 1955

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in the Council Chamber in the City Hall on Tuesday, March 1, 1955, at the hour of seven-thirty o'clock P.M. (7:30 P.M.), in regular session, with Mayor Kelly presiding, and Eagle Scout Dean Cofield, also serving as Mayor.

Members Present: Carpenter, Donham, Miller, Ramsey, Porter, and Van Meter

Members Absent: Griffith

The minutes of the last meeting were approved on motion of Councilman Donham, seconded by Councilman Van Meter.

Reports for the month of February, 1955, were accepted as submitted by the following:

- Horace Robertson, Chief of the Fire Department
- Roy E. Doub, Plumbing Inspector
- Leonard M. Rogers, Superintendent of the Sanitation Department
- J. N. Gilmore, Street Commissioner

Len E. Bunger, Jr., as attorney for the Board of School Trustees of Bloomington Metropolitan Schools submitted a petition requesting approval of the Council for proposed McCalla and Rogers school building projects so that the School Board may procede with bond issue to finance the building projects. Councilman Ramsey suggested to the Council that it might be well to study the plans for the proposed construction with the idea to obtain maximum facilities at lowest cost. Councilman Carpenter moved the adoption of a Resolution approving the new building projects; Councilman Porter seconded motion; on a roll-call vote, the response was as follows: Ayes--Carpenter, Donham, Miller, Porter, and Van Meter; Nos--Ramsey. Therefore, Resolution No. 3, 1955, was declared adopted, as follows:

"RESOLUTION NO. 3

WHEREAS, the Board of School Trustees of Bloomington Metropolitan Schools has presented to the Common Council of the City of Bloomington a statement showing the necessity for the enlarging of the existing McCalla School building located at the intersection of Indiana Avenue and Ninth Street in said city and the construction and equipment of a new school building on land now owned by the said consolidated school corporation which is located near the intersection of Second and High Streets in Monroe County, Indiana, which said statement shows the character and size of the enlargement of the said McCalla School building and of the new school building to be erected and the amount of funds the said consolidated school corporation proposes to raise to meet the cost of enlarging, construction and equipment of said buildings; and

WHEREAS, said Board of School Trustees has requested the Common Council to approve said building projects and the issuance of bonds and the letting of contracts on account thereof; and

WHEREAS, the Common Council, after due investigation, finds that the housing facilities of the Bloomington Metropolitan Schools are inadequate, and that said proposed new construction is urgently needed to correct unsatisfactory conditions now existing; now therefore,

BE IT RESOLVED by the Common Council of the City of Bloomington that approval be given for the enlarging of the existing McCalla School building and for the construction and equipment of a new school building by the Bloomington Metropolitan Schools, said enlargement and new school building to be substantially of the size and character and the cost thereof to be financed in the manner more particularly set out in the statement of said Board of School Trustees to the Common Council."

The following letter was received by the Council:

"The City Council  
Bloomington, Indiana

State of Indiana  
Indianapolis  
February 24, 1955

AG 1652

Gentlemen:

I wish to advise that Senate Bill 5, returning \$14,090,537 to the State Highway Department was passed by this Senate February 22, 1955 by a vote of 29 to 17.

This will advise that of this money 53% goes to the State Highway Commission (trying to make it 50%), 15% goes to the city and 32% goes to the counties.

The House now has this bill. Perhaps this will relieve the local situation and should help us materially.

WBH:mg

Respectfully yours,  
S/W. B. Hoadley, State Senator"

The Council received from the Stream Pollution Control Board of the State of Indiana the following Order:

\*STREAM POLLUTION CONTROL BOARD  
OF THE STATE OF INDIANA

IN THE MATTER OF: )  
THE CITY OF BLOOMINGTON, INDIANA )

FINAL ORDER AND DETERMINATION

John Prout, Member of the above Board and designated as hearing member in the above cause, having presented to and filed with said Board on January 6, 1955, his recommended findings of fact and order, in the above cause, together with the complete record of proceedings before him, other than the transcript of the oral testimony, and notice of such filing, together with a copy of said recommended findings of fact and order, having been transmitted to the City of Bloomington, Indiana, by registered mail on January 7, 1955, return receipt requested, and there being no objections by anyone, said Board now considers said Recommended Findings of Fact and Order on this 18th day of February, 1955 adopts the same without amendment or modification and now makes the following as its Findings of Fact:

1. That the City of Bloomington discharges raw and inadequately treated sanitary and domestic sewage, including industrial wastes, into the waters of Clear Creek and tributaries thereto in or near the corporate limits of said City of Bloomington.
2. That the waters of Clear Creek, after being mixed with and affected by the raw and inadequately treated sanitary and domestic sewage, including industrial wastes, discharged therein by the City of Bloomington, contain less than 25 per cent saturation of dissolved oxygen downstream from the points of entry of said sewage.
3. That said raw and inadequately treated sanitary and domestic sewage, including industrial wastes, is of such character as to prevent the growth of and propagation of normal aquatic life in said streams downstream from the points of entry of said sewage.
4. That the discharge by the City of Bloomington of raw and inadequately treated sanitary and domestic sewage, including industrial wastes, into said streams causes putrescent and objectionable sludge banks to form therein downstream from the points of entry of said sewage.
5. That the City of Bloomington discharges raw and inadequately treated sanitary and domestic sewage, including industrial wastes, into Clear Creek and tributaries thereto in sufficient quantities to cause the waters of said streams to have a coliform bacteria concentration of as high as 25,000,000 MPN (Most Probable Number) per 100 milliliters downstream from the points of entry of said raw and inadequately treated sanitary and domestic sewage, including industrial wastes.
6. That raw and inadequately treated sanitary and domestic sewage is discharged to roadside ditches and tributaries to Clear Creek from numerous residences within the corporate limits of the City of Bloomington.

- 7. That the presence of said raw and inadequately treated sanitary and domestic sewage, including industrial wastes, in said waters is a hazard to the public health.
- 8. That the present sewage treatment plant of the City of Bloomington has a design capacity of 3.75 MGD; and that the total sewage flow of said City is in excess of design capacity; that by-passing of raw and inadequately treated sewage has been observed on numerous occasions; and that the City increased in population 35 per cent from 1940 to 1950 and is continuing to expand.
- 9. That the City of Bloomington has violated, is now violating, and is about to violate the provisions of Chapter 214, Acts of 1943 and Regulation SPC 1 of the Stream Pollution Control Board, by permitting, causing or contributing to a polluted condition of Clear Creek and tributaries thereto, by permitting the discharge of raw and inadequately treated sanitary and domestic sewage, including industrial wastes, into said waters.
- 10. That treatment facilities should be constructed as may be necessary for the adequate treatment of all the sanitary and domestic sewage, including industrial waste, within the jurisdiction of the city and with such additional capacity as to allow for reasonable growth of the City of a reasonable period of time.


IT IS NOW FINALLY ORDERED AND DETERMINED that said defendant, the City of Bloomington, cease and desist from causing pollution of Clear Creek and tributaries thereto downstream from the points of entry of said raw and inadequately treated sanitary and domestic sewage, including industrial waste, into said streams, and that said defendant, the City of Bloomington, construct facilities before October 1, 1956 to treat adequately the sanitary and domestic sewage, including industrial wastes, of said City, including that coming into or contemplated as coming into the sewer system of said City.

February 18, 1955

ATTEST

S/B. A. Poole  
 Technical Secretary  
 Stream Pollution Control Board of  
 the State of Indiana"

The meeting adjourned on motion of Councilman Donham, seconded by Councilman Van Meter.

  
 Presiding Officer

ATTEST:

Esther J. Lawitt  
 Clerk-Treasurer

AG-652