

Tuesday, January 15, 1952

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in regular session in the Council Chamber at the City Hall, Bloomington, Indiana, January 15, 1952, at the hour of 7:30 P.M., with Mayor Kelly presiding.

Members present: Carpenter, Fowler, Griffith, McDaniel, Miller, Porter, and Ramsey

Members absent: None

The minutes of the last regular meeting were read by the Clerk-Treasurer and upon motion of Councilman Carpenter, seconded by Councilman McDaniel, were approved by vote of the Council.

Councilman Miller reported on request for a street light at 17th and Dunn Streets, which had been referred to his committee, and moved that a street light be approved for installation at that location; motion was seconded by Councilman Fowler, and carried.

Councilman Fowler reported on request to cut curb at 418 North Washington Street, and moved that this permission be postponed at this time; motion seconded by Councilman Porter, and on vote passed unanimously.

Mayor Kelly reported that the Board of Public Works and Safety had increased wages of the City Water and Sanitation Department employees to conform with the wages of the Street Department employees, which are established by budget.

Mayor Kelly requested nomination of a Council member to represent the Council on the Planning Commission. Councilman Carpenter nominated Councilman W. L. Miller; Councilman Porter seconded the nomination; on vote, Mr. Miller was unanimously elected to serve on the Planning Commission.

Mayor Kelly called to the attention of the Council a vacancy on the Park Board because of the expiration January 1, 1952, of the term of Albert Hoadley. Councilman Griffith moved the matter be referred to the Committee on Education and Recreation for recommendation to the Council; motion was seconded by Councilman Carpenter, and carried.

REPORTS: Fire Chief Horace Robertson reported for his Department for the month of December 1951 and the year 1951: Inspections in December - 496; Calls 51; Loss \$2,365; Inspections in 1951 - 6,167; Calls - 560; Loss \$46,780. Councilman Carpenter moved the report be accepted, McDaniel seconded, motion carried.

PETITIONS: A petition was received for a street light at the intersection of Grimes and Dunn Streets, and was referred to the committee on Sidewalks and Street Lighting for report at the next Council meeting.

Applications for license were received from three taxi-cab lines, the Yellow Cab, IU Cab, and Campus Cab, and were referred to the committee on Finance, Claims, and Franchises for report at the next meeting.

City Attorney McCrea presented to the Council Ordinance No. 2 - 1952. Councilman McDaniel moved that the rules be suspended so that the Ordinance might be considered immediately; Councilman Carpenter seconded the motion; motion carried on a roll call vote, as follows: Carpenter - aye; Fowler - aye; Griffith - aye; McDaniel - aye; Miller - aye; Porter - aye; Ramsey - aye.

Councilman Carpenter moved that Ordinance No. 2 - 1952, be duly adopted; motion seconded by Councilman McDaniel; roll call vote, as follows: Carpenter - aye; Fowler - aye; Griffith - aye; McDaniel aye; Miller - aye; Porter - aye; Ramsey - aye. Ordinance No. 2- 1952 is hereby duly adopted, as follows:

ORDINANCE OF THE CITY OF
BLOOMINGTON, COUNTY OF MONROE,
STATE OF INDIANA
NO. 2 - 1952

An Ordinance concerning the acquisition of land necessary to fulfill the purposes of the Water Works Improvement Program of the City of Bloomington, Indiana.

WHEREAS, The Common Council of the City of Bloomington, Indiana, and the Board of Public Works and Safety of said City have heretofore authorized the commencement of a water works improvement program as an addition to and an extension of the existing water works system now owned and operated by the City of Bloomington by and through

its Board of Public Works and Safety, and

WHEREAS, The City of Bloomington, with the approval of the Public Service Commission of the State of Indiana, has entered into contracts for the construction of a dam and spillway, a contract for the re-location and improvement of public highways in the area where such extension to the present water works system is being developed, and a contract for the clearing of the land in the reservoir area, and other contracts to extend and enlarge the facilities of the existing water works, and

WHEREAS, In order to finance the said water works improvement program, the City, with the approval of the Public Service Commission, has issued and sold Water Revenue Bonds numbered 1 to 1750, the total sum being in excess of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), and

WHEREAS, The necessary funds with which to finance said water works improvement program and to carry out all of the various contracts heretofore entered into by the City are now available, and

WHEREAS, The construction of said improvements is now underway, having begun in the year 1951, and

WHEREAS, The Board of Public Works and Safety of the City of Bloomington, Indiana has the power to condemn or purchase any real estate needed by the City of Bloomington, Indiana for any public use, and

WHEREAS, There is a specific tract of parcel of land located in Benton township of Monroe County, Indiana, now owned by Roy E. Greenfield and Helen Greenfield, husband and wife, which property is needed by the City of Bloomington for the public use hereinabove described,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON:

Section 1. That the Board of Public Works and Safety of the City of Bloomington, Indiana, for and on behalf of, and in the name of the City of Bloomington, be, and the same is, hereby expressly authorized, ordered, and directed to acquire the title in fee simple to the real estate hereinafter described, either by purchase or condemnation under the laws of the State of Indiana.

Section 2. That the Board of Public Works and Safety be, and the same is, hereby expressly authorized, ordered, and directed to negotiate for and acquire the title to the real estate hereinafter described by purchase from the owners thereof, if possible, at its fair market value.

Section 3. That in the event the City of Bloomington, Indiana, by and through its Board of Public Works and Safety, is unable to acquire the fee simple title to the hereinafter described real estate by negotiation and purchase, then, in that event, the Board of Public Works and Safety of the City of Bloomington, Indiana, for and on behalf of, and in the name of the City of Bloomington, is hereby expressly authorized, ordered and directed to institute condemnation proceedings against the owners of record and any persons, firms, or corporations having or claiming any right, title, or interest in and to the following described real estate located in the County of Monroe, State of Indiana; to-wit:

A part of the West half of the Northeast quarter of Section Twenty-eight (28), Township Ten (10) North, Range One (1) East, bounded as follows: Beginning at the Southeast corner of said West half of said Northeast quarter of said Section Twenty-eight (28), running thence North to the Northeast corner of the Southwest quarter of the Northeast quarter of said Section Twenty-eight (28), running thence West to the West side of Bean Blossom Creek at high water mark; thence in a Southerly direction with the meanderings of said creek at high water mark on the West side thereof to the line dividing the Northeast quarter from the Southeast quarter of said Section Twenty-eight (29); thence East to the Southeast corner of said West half of the Northeast quarter of said Section Twenty-eight (28) to the place of beginning; with a right of way Fifteen (15) feet wide along the South edge of the Northeast quarter of the Northeast quarter of Section Twenty-eight (28), Fifteen (15) feet wide and extending West Twenty (20) feet from the Southwest corner of said quartersection, containing Twenty-five (25) acres, more or less.

Section 4. It is hereby determined and declared by the Common Council of the City of Bloomington that the acquisition of the fee simple title to the above described real estate is needed by the City for the construction of an extension

to and improvement of the present water works system for the following public use, to-wit: The construction of and improvement to and extension of the present water-works system of the City of Bloomington, including the necessary water reservoir area, and also including an area for water drainage and relocation of existing public highways.

Section 5. The purpose of this ordinance is to authorize the City of Bloomington, Indiana, by and through its Board of Public Works and Safety, to acquire title to real estate either by purchase or by condemnation under the power of Eminent Domain necessary for the completion of the extension of the present water works system owned and operated by said City.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Common Council of the City of Bloomington on the 15th day of January, 1952.

/s/ EMMETT KELLY
Emmett Kelly, Presiding Officer

Attest:

/s/ ESTHER F. LEAVITT
Esther F. Leavitt, Clerk-Treasurer

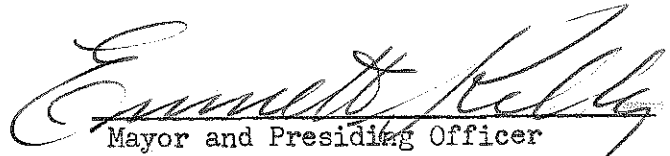
Presented by me to the Mayor of the City of Bloomington on the 15th day of January, 1952, at the hour of 8:20 o'clock P.M.

/s/ ESTHER F. LEAVITT
Esther F. Leavitt, Clerk-Treasurer

This Ordinance approved and signed by me on the 15 day of January, 1952, at the hour of 8:20 o'clock P.M.

/s/ EMMETT KELLY
Emmett Kelly, Mayor

Motion by Councilman Ramsey, seconded by Porter, for adjournment, carried unanimously.


Mayor and Presiding Officer

ATTEST:

Esther F. Leavitt
Clerk-Treasurer

109652