

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in regular session in the Council Chamber at the City Hall, Bloomington, Indiana, February 5, 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 Fowler, were approved by vote of the Council.

A petition was received to cut curb at the McDoel Baptist Church, #1016 South Rogers Street. Dr. Ramsey moved the petition be referred to the committee on Streets, Alleys, and Bridges; Mr. Carpenter seconded the motion; motion carried.

The report of Horace Robertson, Fire Chief, for the month of January 1952, was read by the Clerk-Treasurer. Mr. Fowler moved that the report be approved; Mr. Miller seconded the motion; motion carried.

Councilman Ramsey reported as Chairman of the Education, Recreation, and Public Health Committee, in the matter of the vacancy on the Park Board, that his Committee recommended the reappointment of Albert T. Hoadley. Councilman Ramsey moved that Albert T. Hoadley be reappointed to the Board of Park Trustees. Councilman Carpenter seconded the motion. Councilman Griffith called the attention of the Council to the pledge made by them to unite the Park Board and the Recreation Commission, and recommending such uniting. Dr. Ramsey made further comment to the effect that the Committee had considered that pledge, and expected to make the consolidation gradually. Mayor Kelly called for a roll call vote, with the response as follows: Carpenter, aye; Fowler, aye; Griffith, aye; McDaniel, aye; Miller, aye; Porter, aye; Ramsey, aye; motion carried unanimously.

Councilman Miller reported for the Sidewalks and Street Lighting Committee concerning the petition for street light at the corner of Grimes Lane and Dunn Street, the Committee recommending the light was necessary, and Mr. Miller moved that the light be so ordered. Mr. Fowler seconded the motion; motion carried.

Councilman Fowler, as Chairman of the Finance, Claims, and Franchises Committee, reported on the Applications for License for Taxi-Cabs, as follows:

1. Harry Cecil McNeely, d/b/a Yellow Cab Company,
2. IU Cab Company, Inc.,
3. Guy Miller and Joseph Westrick, d/b/a Campus Cab Company

Mr. Fowler advised that each of the cab companies had complied with the regulations for license, and with the Committee's request that their insurance be set up to run on a calendar year basis and in amount of \$15,000/30,000.

Mr. Fowler moved that license be granted to the Yellow Cab Company for the year 1952; Mr. Porter seconded; motion carried.

Mr. Fowler moved that application for license for the IU Cab Company, Inc., be accepted and license be granted for the year 1952; Mr. Miller seconded; motion carried.

Mr. Fowler moved that license be granted for the year 1952 to the Campus Cab Company; Mr. Porter seconded; motion carried.

Mr. Fowler, reported that the Committee on Finance, Claims, and Franchises, recommends that the present ordinance regulating license of taxi-cabs be reviewed with the idea of some changes that would bring it more up-to-date and would work to the better interest of the owners, drivers, and community.

Mr. Guy Baker, Secretary of the Bloomington Chamber of Commerce, presented to each elective official a booklet entitled, "Here is Your Indiana Government", published by the State Chamber of Commerce. Mr. Baker explained the books were gifts to the officials through the courtesy of the Bloomington Limestone Corporation, The First National Bank of Bloomington, and Radio Corporation of America.

Councilman Ramsey moved that the Council in appreciation of the booklet, go on record as officially thanking the Chamber of Commerce; Councilman Miller seconded; motion carried.

Mr. Fay Hancock presented on behalf of the Monroe County Planning Commission

some objections on the last meeting and installation of officers of the City Planning Commission, which were read by the City Clerk-Treasurer, as follows:

"To The Common Council to the City of Bloomington:

We, the Monroe County Planning Commission, wish to take this means to express our dissatisfaction with the present organization of the Planning Commission for the City of Bloomington.

The text of the Statute upon which this commission is established specifically sets forth certain procedures and steps for the appointment of members and election of officers, specifically as follows:

- (1) Section Five states that the Planning Commission shall consist of nine or ten members; four members shall be official members appointed as follows: one member selected by the city council from its membership; one member selected by the Board of Park Commissioners from its membership; the President of the Board of Public Works; and the City Engineer.
- (2) Section Eight states that the clerk of the city council and the secretary of the Board of Park Commissioners shall certify members appointed by their respective bodies. The certificates shall be sent to and become a part of the records of the city plan commission. The mayor shall make similar certificates for the appointment of citizens members.
- (3) Section Eighteen states special meetings of the commission may be called by the president or by two members upon written request to the secretary. The secretary shall send at least two days in advance of the meeting, a written notice to all members fixing the time and place of the meeting. Written notice is not required if the time of the special meeting has been fixed in a regular meeting or if all members are present at the special meeting.
- (4) Section Nineteen states a majority of members shall constitute a quorum. No action of the commission is official, however, unless authorized by a majority of the commission at a regular or properly called special meeting.

We jointly feel that each of these sections of the statute have been ignored in the calling and organization of the first meeting of the planning commission of the City of Bloomington. Specific exceptions to the statute taken by the commission are as follows:


- (1) The first member mentioned in the statute is the member selected by the council from their membership. No such member had been selected at or prior to the time of the said meeting, and of course would have no right to representation in action at that meeting. No member had been selected by the Board of Park Commissioners (which itself was yet incomplete in membership) and could have no voice in actions of the commission.
- (2) Obviously, with no appoints having been made by the city council and the board of park commissioners, no certificates could be presented as called for in Section Eight.
- (3) The term of office of the president and the secretary expired January 1, 1952 (Section 10) and would have no authority to call a special meeting or notify members as called for in Section Eighteen. The fact that not all members had been appointed would not permit all members to be present avoiding the requirement for written notice.
- (4) The city planning commission as presently organized contends that a quorum was present and as such the proceedings were authorized. This meeting was neither a regularly scheduled meeting nor a properly called special meeting, so no business transaction can be proper under Section Nineteen, quorum or no quorum.

It is our contention that the actions of the president in calling this meeting were illegal and had the effect of preventing proper representation of the new city administration in the selection of officers at the meeting. No other business warranted attention at the meeting indicated, so election of officers was the sole purpose for the meeting. We feel that the members of the commission should be advised of their erroneous action, and proper measures be taken to organize the commission according to the text of the statute. "

Councilman Carpenter moved that the protest be acknowledged and taken under advisement and that the protest be recorded by the Clerk-Treasurer in the minutes of the Council meeting; Councilman McDaniel seconded the motion; motion carried.

Councilman McDaniel moved that the Council pass a Resolution relative to the death of former Mayor Joseph Campbell, and that the Resolution be made a matter of record, and the family be so notified. Councilman Carpenter seconded the motion; motion carried.

Councilman McDaniel moved for adjournment; Councilman Carpenter seconded; motion carried.

  
Mayor and Presiding Officer

ATTEST:

  
Clerk-Treasurer

AG4652