

REGULAR MEETING

Tuesday, May 20, 1952

THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, met in regular session in the Council Chamber at the City Hall, Bloomington, Indiana, May 20, 1952, at the hour of 6:30 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 on motion of Mr. Carpenter; seconded by Mr. Fowler, were approved as read by the Council.

A request was received from the Harlos Construction Company requesting permission to cut curbs and sidewalks at Indiana Avenue and Tenth Street for the Standard Oil Company. Mr. Fowler as chairman of the committee on Streets, Alleys and Bridges advised the Council that the Committee had already investigated this request and he moved that permission be granted for the Standard Oil Company to cut curbs and sidewalks and with the understanding that it will be done under the supervision of the City Engineer; Councilman Porter seconded the motion, motion carried.

A petition was received from <sup>fourteen</sup> residents in the vicinity of the intersections of Maxwell Lane and Jordan Avenue and Maxwell Lane and Woodlawn Avenue requesting that slow signs be installed at each of these intersections on Maxwell Lane because of the many young children in that locality. Mr. Carpenter moved that the Council approve the request if the applicants paid for the signs and if the signs are approved by the Traffic Commission; Mr. Fowler seconded the motion, motion carried.

A letter was read to the Council from R. W. Bender, Chairman of the Board of Park Trustees, and Mrs. Ben Rector, Chairwoman of the <sup>Recreation</sup> Commission requesting the appointment of Charles Dunn to fill the unexpired term of James Goodman on the Park Board. Mr. Miller moved that Charles Dunn be approved by the Council as a member of the Board of Park Trustees; Councilman Carpenter seconded the motion, motion carried.

A notice was received from the Public Service Company of Indiana concerning an overhead street light at the intersection of Campbell and Ninth Streets. Since this area is now the property of Indiana University, the light No. 215 is no longer needed and may be removed. Councilman Ramsey moved that the City advise the Public Service Company to not bill the City further for this street light since it is on University property and authorizes its removal and Indiana University does not care to take it over; Mr. Carpenter seconded the motion; motion carried.

Mr. R. J. Buck, City Engineer, presented estimate of cost for building a parking area on the south side of Seventh Street between Madison and Rogers Streets, also the same area on the north side of Seventh Street between Rogers and the alley east of Rogers Street, as requested by the Johnson Creamery Company April 1, 1952, as follows:

Common Council,  
City of Bloomington,  
Bloomington,  
Indiana.

May 20, 1952.

Gentlemen:

The estimated cost for black topping the area between the existing street and the side walks on the south side of 7th Street from Madison Street to Rogers Street and the north side of 7th Street from Rogers Street east to the first alley, using 6" of crushed stone for base and 2" of black top material, is as follows:

95 cubic yards of excavation	\$ 190.00
95 cubic yards of crushed stone	285.00
563 square yards of black top material	563.00
Estimated Cost	<u>\$1,038.00</u>

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The estimate is based on the condition that two maple trees on the south side of the street adjacent to Rogers Street will remain in place.

The vehicles parking on this street have been checked on two occasions and it appears that approximately 50% of the vehicles were owned by employees of adjacent business places.

Respectfully submitted,

/s/ Ross J. Buck  
Ross J. Buck  
City Engineer

In answer to a question from a Council member, Mr. Buck advised that this construction would probably allow four or five additional cars to park in this area. Mr. Fowler moved the matter be referred to the Board of Public Works and Safety; Mr. Miller seconded the motion, motion carried.

The report of the Sanitation Department for the month of April was presented to the Council. On motion of Councilman Carpenter; seconded by Mr. Fowler, the report was accepted.

The proposed sewer ordinance was presented on a second reading. After some discussion, by James Ray, John Trabue, R. H. Young, and Councilman Carpenter with the Council, the proposed Ordinance requesting the use of sanitary sewers where available, passed its second reading unanimously on motion of Councilman Carpenter, seconded by Councilman Miller,

On motion of George McDaniel, seconded by Councilman Miller, the following Resolution No. 5, 1952, was passed unanimously by the City Council:

BE IT RESOLVED, by the Common Council of the City of Bloomington, Indiana, that the State Highway Commission of the State Highway Department, State of Indiana, be requested to issue an order reducing the speed of motor vehicles on Walnut Street and College Avenue in the City of Bloomington between Eleventh Street and Seventeenth Street, on each of said streets, both being State highways, from the present maximum speed limit of 30 miles per hour to that of 20 miles per hour; and

BE IT RESOLVED, that the State Highway Commission be requested to install an automatic traffic signal controlling North and South bound traffic and East and West bound traffic at the intersection of College Avenue and Eleventh Street; and, further

BE IT RESOLVED, that the Traffic signal now located at the intersection of Seventeenth Street and College Avenue be changed from the present "Caution" and "Stop" method of controlling traffic to a "Stop, Caution, and Go" method of traffic control, and that a copy of this Resolution, certified by the City Clerk-Treasurer, be forwarded by letter to the State Highway Commission.

Councilman Fowler reported for the Committee on Streets, Alleys, and Bridges concerning the request to cut curb and sidewalk at rear of 401 E. 7th Street. He advised the Council that the Committee had already investigated this request and he moved that permission be granted to Merle K. Gilstrap to proceed according to her request; Mr. Porter seconded the motion, motion carried.

Councilman Fowler reported for the Committee on Streets, Alleys and Bridges and moved that after investigation by the Committee ~~that~~ that the request of the Buck Lemon Furniture Company to cut curb and sidewalk at 525 North Walnut Street be granted, the work to be started after it is approved by the State Highway, and to be done under the supervision of the City Engineer. It is further understood that any loading or unloading at this place of business which requires the blocking of the sidewalk, will be done promptly; Mr. Porter seconded the motion, motion carried.

Councilman Fowler reported for the Committee on Streets, Alleys, and Bridges concerning a petition of John Treadway and T. E. Branam to close an alley running west from South Maple Street between 3rd and 4th Streets. He advised the Committee was not yet ready to report on this request, and would like to hold this matter over until the next Council meeting.

Mr. Fowler reported for the Committee appointed to investigate the Zoning Ordinance, as follows:

COMMITTEE REPORT, AS TO DISPOSITION OF MOTION MADE ON APRIL 1st., 1952, AS REGARDS CITY PLAN COMMISSION, ZONING ORDINANCE # 6, 1950, & ZONING BOARD OF APPEALS.

The Committee has contacted a number of individuals and groups, has had numerous suggestions; and after considerable time and thought has come to some conclusions as to the disposition of the motion. At this time, it feels that any suggestions it makes must necessarily be tentative and general. It wishes to refrain from specific and final recommendations at this time; but rather wishes to take the position of a jury, this evening. It requests the privilege of hearing all of the evidence before making a final report; and if agreeable, will make that report to the Common Council, not later than June 17th, next. It is the opinion of the Committee that nothing worthwhile just happens; but rather that one must plan and work to that end. On the other hand, the committee believes that an idea or movement can be so over-planned, and so over-regulated that it can and will fail to accomplish its purpose and actually becomes a hindrance. The committee believes that Bloomington should have zoning and building regulations. It further believes that the present Ordinance No. 6, 1950, is certainly not all bad, and that it contains much of the needed groundwork for a good ordinance, but, that it also contains too many details which tend to complicate it. At this time, our conclusion is that the present zoning ordinance does not need to be revised, amended, or possible re-written, to the end that it will be more workable, and to the further end that the most people will be served in the best manner. The committee believes that the zoning ordinance is too all-inclusive, in that it attempts to regulate and tie-down old Bloomington, especially residential sections and old residences, under the same exacting terms as those proposed for new areas or new buildings. It is believed that this can not be done successfully to the best interest of all concerned. It seems that an attempt has been made to anticipate all of the requests and exceptions that can possibly be asked for; and then proceed to answer them in advance, leaving little to the discretion or judgment of the Commission itself. This tends to be a hindrance instead of a help, and might easily prevent proper consideration to reasonable and just requests. Further, the ordinance tends to create a feeling with the applicant that his rights as a property owner and as an American citizen are being restricted too much, and he just isn't very happy about it. The Committee believes that the actual wording and phrasing of the present zoning ordinance tends to create a doubt as to its meaning and that one written in plain, simple terms would be much more satisfactory; leaving less doubt and suspicion in the minds of the people. The committee believes that the method of procedure in the matter of requesting a variance from the present zoning ordinance No. 6, 1950, is probably too complicated and too expensive to the applicant. Too much red tape will always result in fear and create within the minds of the people, the suspicion that they are being discriminated against. This situation can tend to discourage not only justifiable but needed improvements; and certainly we don't want that to happen.

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However, since the committee seeks further aid and information before making a final report, and since the above mentioned motion has stated that at this meeting tonight, the Council members and the citizens generally are to be given an opportunity to discuss and give their views regarding the present City Plan Commission, the Zoning Ordinance, and the Zoning Board of Appeals; it is the wish of the Committee that you will all feel free to voice your opinions and experiences; confining the discussion to the subject as stated. The committee invited both constructive criticism and helpful suggestions. Any statements or suggestions made with the thought in mind of just being critical, of gaining selfish aims, or of getting even with someone, will only tend to confuse the committee and will not be helpful. On the other hand the committee will look with favor on specific suggestions or ideas as to changes or amendments, along with reasons for same. It will be quite all right to relate your actual experiences to bring out a point. Do not hesitate to state your position regarding disposition of the present City Plan Commission, the present Zoning Ordinance under discussion, or the Board of Zoning Appeals. What is said here tonight, will, in a large measure, guide the committee in making its final report.

The committee has tried to realize the responsibility it has assumed in the recommendation it will finally make to the City Council, regarding the motion as named. So the request is that the discussion proceed, to the final end that the committee decision will result in the most good being done for the greatest number of Bloomington citizens, thereby assuring Bloomington of a steady and healthy growth in the future.

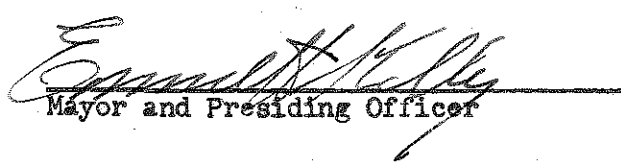
Dated this 20th, day of May, 1952; 7:30 P.M.

George W. McDaniel  
Boyd C. Porter  
Lyle J. Fowler

On motion of Mr. Carpenter; seconded by Councilman Porter, the report was accepted by the Council.

Persons attending the Council meeting who entered into the discussion concerning the Zoning Ordinance were: Earl Kinser, Robert Fee, Charles Szatkowski, Ben Terrell, Guy McKamey, Fay Hancock, James Patterson, Atwell Weaver, Clarence Medaris, Nathan Silverstein, Edward Scott, Charles B. Waldron, Wade Whaley, Richard McCury, John Trabue, R. H. Young, and Shirley Young. Councilman Miller stated that the open forum had been worth while and very much appreciated. Mayor Kelly expressed his appreciation to the persons attending the meeting and taking part in the discussion.

On motion of Councilman Miller; seconded by Mr. McDaniel, the meeting adjourned.

  
Mayor and Presiding Officer

ATTEST:

  
Clerk-Treasurer