

REGULAR MEETING

Monday, July 6, 1959, 7:30 P.M.

The Common Council of the City of Indianapolis, met in the Council Chambers in the City Hall, Monday, July 6, 1959, at 7:30 P.M. in regular session. President Wallace in the chair.

The Clerk called the roll.

Present: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mrs. Francis, seconded by Mr. Huber.

COMMUNICATIONS FROM THE MAYOR

June 16, 1959

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Teresa Laffey, the following Special Resolution and Ordinances:

SPECIAL RESOLUTION

WHEREAS, at the present time certain cities in Kentucky and

Tennessee are petitioning the Interstate Commerce Commission to include the areas where such cities are situated in the Eastern Time Zone, and,

WHEREAS, this governing body, the Mayor, the business, financial and industrial interests in Indianapolis together with a majority of the citizens herein prefer to operate under Eastern Standard Time and,

WHEREAS, the City of Indianapolis while in the Central Time Zone, has unofficially by preference of its citizens operated for the past year on unofficial Eastern Standard Time, and,

WHEREAS, it is the conviction of this governing body and the Mayor of this city that the City of Indianapolis should officially petition in company with other cities in Kentucky and Tennessee, to have the City of Indianapolis included in the Eastern Standard Time Zone.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA, that:

Section 1. The Mayor of the City of Indianapolis and other city officials be and they are hereby authorized to execute the form of petition attached to this Resolution which form of petition is by reference incorporated in this Resolution, to cause the same to be presented to the Interstate Commerce Commission.

Section 2. That the said Mayor of the City of Indianapolis be authorized to appear before the Interstate Commerce Commission or to designate one or more representatives of the City of Indianapolis to appear for and on behalf of said City and its Mayor and governing body, and to present and file said petition and to advance the City's request that the City of Indianapolis be included in the Eastern Standard Time Zone of the United States of America as fixed by the Interstate Commerce Commission.

APPROPRIATION ORDINANCE NO. 9, 1959

An ordinance appropriating, transferring, reappropriating and

reallocating the sum of Five Thousand Dollars (\$5,000.00), from a certain designated item and fund in the Department of Public Works, Street Commissioner, as appropriated under the 1959 Budget, General Ordinance No. 85, 1958, as Amended, to a certain other designated item and fund in the same department, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 49, 1959, AS AMENDED

An ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of Three Million Dollars (\$3,000,000.00), for the use of the General Fund of the City of Indianapolis in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for the legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 50, 1959, AS AMENDED

An ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan not to exceed the sum of Three Million Dollars (\$3,000,000.00), for the use of the General Fund of the City of Indianapolis as needed during the six months period beginning July 1, 1959 and ending December 31, 1959, in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; requiring the Controller to issue tax anticipation warrants to evidence such loan at such time and for such duration as needed, providing for the legal notice of sale and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 51, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan for the General Fund of the Department of Public Parks in the amount of Four Hundred Thousand Dollars (\$400,000.00), for the purpose of carrying on the functions of said Department; said loan to be made in anticipation of and payable out of the current taxes of said Depart-

ment of Public Parks actually levied for the general fund of the Department of Public Parks and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notices and the time when the said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 52, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan for the General Fund of the Department of Public Parks in the amount of Four Hundred Thousand Dollars (\$400,000.00), for the purpose of carrying on the functions of said Department; said loan to be made in anticipation of and payable out of the current taxes of said Department of Public Parks actually levied for the general fund of the Department of Public Parks and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period; providing for the interest to be charged therefor; providing for legal notices and the time when the said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 53, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board of Trustees of the Indianapolis Firemen's Pension Fund in the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Firemen's Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 54, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board of Trustees of the Indianapolis Firemen's Pension Fund in the City of Indianapolis, in anticipation of and payable out of the current

taxes for the Indianapolis Firemen's Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 55, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 56, 1959, AS AMENDED

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 59, 1959

An ordinance authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 48, 1959

An ordinance to amend the Municipal Code of Indianapolis,

1951, as adopted by General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-840 thereof, by the addition thereto of subsections 3 and 4, prohibiting the parking of vehicles on certain streets, on certain days, at certain times, and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 58, 1959

An ordinance providing salaries for the balance of the year 1959 for the Board of Flood Control Commissioners and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 61, 1959 (Passed under
Suspension of Rules)

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully,

CHARLES H. BOSWELL
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

July 6, 1959

To the President and Members
of the Common Council of the
City of Indianapolis, Indiana

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial, and the Indiana Sentinel, on Thursday, June 18, 1959, General Ordinance No. 48, 1959.

July 6, 1959]

City of Indianapolis, Ind.

415

This Ordinance will be in full force and effect eight days after the last date of publication and compliance with all laws pertaining thereto.

Yours very truly,

TERESA F. LAFFEY
City Clerk

July 6, 1959

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 10, 1959, appropriating the sum of Fifty Thousand Dollars (\$50,000.00), from the anticipated, unexpended and unappropriated 1959 balance of the General Fund of the City of Indianapolis to a certain designated item and fund in the Department of Public Works, Street Commissioner, and fixing a time when the same shall take effect.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

July 6, 1959

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 65, 1959, authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds here-

tofore appropriated or available and fixing a time when the same shall take effect. This authorization is covered by Requisition No. 5561 and Requisition No. 5684.

Respectfully submitted,

R. A. McKINNEY
Councilman

July 6, 1959

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 66, 1959, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Title 3, Chapter 4 thereof, by the addition thereto of Section 3-404, providing for the furnishing of copies of Indianapolis Police Department Teletype and/or Police Accident Reports to duly qualified persons, providing for administration of same and the charge to be made therefor, and fixing a time when the same shall take effect.

Respectfully submitted,

R. A. McKINNEY
Councilman

July 6, 1959

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ord-

nance No. 67, 1959, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 4, by the addition thereto of Section 4-403, establishing a prima facie speed limit of 35 miles per hour on Keystone Avenue from 56th Street to Broad Ripple, providing for a penalty for violation of same, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

July 6, 1959

To the President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 17, 1959, annexing certain contiguous territory of the City of Indianapolis.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

At this time those present were given an opportunity to be heard on General Ordinances Nos. 44, 60, 62, 63, 64, 1959 and Special Ordinances Nos. 14 and 15, 1959.

Mrs. Francis asked for recess. The motion was seconded by Mr. Huber and the Council recessed at 7:50 P.M.

The Council reconvened at 8:10 P.M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 44, 1959, entitled

AN ORDINANCE creating a City Council Citizens Traffic Advisory Committee

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the record.

WM. H. WILLIAMSON, Chairman
R. A. McKINNEY
MARY M. FRANCIS
AUGUST C. HUBER

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred Special Ordinance No. 15, 1959, entitled

AN ORDINANCE annexing contiguous territory to the City of Indianapolis same being located at 6801 and 6811 E. 38th St.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WM. H. WILLIAMSON, Chairman
R. THOMAS MCGILL
R. A. MCKINNEY
MARY M. FRANCIS
AUGUST C. HUBER

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Works to whom was referred General Ordinance No. 64, 1959, entitled

AN ORDINANCE pertaining to parking on both sides of Oliver Avenue from Harding to Warman Avenue and on Michigan Street, south side, from Arsenal Avenue to 150' east of Arsenal

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

R. THOMAS MCGILL, Chairman
WM. H. WILLIAMSON
AUGUST C. HUBER
CHARLES W. APPLGATE
GLADYS C. POHLMANN

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Works to whom was referred Special Ordinance No. 14, 1959, entitled

AN ORDINANCE authorizing sale of certain real estate no longer required by city

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

R. THOMAS MCGILL, Chairman
WM. H. WILLIAMSON
AUGUST C. HUBER
CHARLES W. APPLGATE
GLADYS C. POHLMANN

Indianapolis, Ind., July 6, 1959

To the President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 60, 1959, entitled

AN ORDINANCE authorizing the purchase of equipment for use by the Traffic Engineer in the amount of \$3,600.00

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MARY M. FRANCIS, Chairman
AUGUST C. HUBER
JOSEPH E. BRIGHT
CHARLES W. APPLGATE
WM. H. WILLIAMSON

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 62, 1959, entitled

AN ORDINANCE regulating the direction of traffic on Scioto Street

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MARY M. FRANCIS, Chairman
AUGUST C. HUBER
JOSEPH E. BRIGHT
CHARLES W. APPLGATE
WM. H. WILLIAMSON

Indianapolis, Ind., July 6, 1959

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Law & Judiciary to whom was referred General Ordinance No. 63, 1959, entitled

AN ORDINANCE establishing a loading zone for use of the Continental Hotel, 410 N. Meridian Street

beg leave to report that we have had said ordinance under consideration and recommend that the same be passed.

CHARLES W. APPLGATE, Chairman
JOSEPH E. BRIGHT
AUGUST C. HUBER
R. THOMAS MCGILL
WM. H. WILLIAMSON

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Williamson:

APPROPRIATION ORDINANCE NO. 10, 1959

AN ORDINANCE appropriating the sum of Fifty Thousand Dollars

(\$50,000.00), from the anticipated, unexpended and unappropriated 1959 balance of the General Fund of the City of Indianapolis to a certain designated item and fund in the Department of Public Works, Street Commissioner, created by virtue of the 1959 Budget, General Ordinance No. 85, 1958, as Amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS: Certain extraordinary conditions have developed since the adoption of the existing annual budget, so that it is necessary to appropriate more money than was appropriated in the annual budget for the operation of certain functions in the Department of Public Works, Street Commissioner, and to meet such extraordinary emergencies;

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

Section 1. That the sum of Fifty Thousand Dollars (\$50,000.00), from the anticipated, unexpended and unappropriated 1959 balance of the General Fund of the City of Indianapolis is hereby set apart and appropriated out of said fund as follows, to-wit:

REDUCE	Tax Levy
Anticipated, unexpended and unappropriated balance of the City General Fund of the City of Indianapolis ---	\$50,000.00

APPROPRIATE TO	Tax Levy
----------------	----------

DEPARTMENT OF PUBLIC WORKS
STREET COMMISSIONER

4. MATERIALS	
43. Street Materials -----	\$50,000.00

Section 2. The foregoing appropriation is necessary because of an existing emergency requiring the purchasing of additional quantities of street repair materials needed because of the heavy winter damage to the streets.

Section 3. This ordinance shall be in full force and effect from

and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL ORDINANCES

By Councilman McKinney:

GENERAL ORDINANCE NO. 65. 1959

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Safety of the City of Indianapolis be and the same is hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the herein-after designated equipment to be used by the department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by law, and the total cost of said equipment shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC SAFETY
FIRE DEPARTMENT

Req. No. 5561—1 Short Block Motor for
Fire Truck -----\$ 2,517.00

Req. No. 5684—Base Bid for 60,000 gals (more or
less) Ethyl Gasoline -----\$12,384.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the Committee on Public Works.

By Councilman McKinney:

GENERAL ORDINANCE NO. 66, 1959

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 3, Chapter 4, thereof, by the addition thereto of Section 3-404, providing for the furnishing of copies of Indianapolis Police Department Teletype and/or Police Accident Reports to duly qualified persons, providing for administration of same and the charges to be made therefor, and fixing a time when the same shall take effect.

WHEREAS, Chapter 158, Section 3, of the Acts of the General Assembly 1945, at pages 379-380, authorizes and requires the furnishing of the information contained in said Police Accident Reports to duly authorized persons, and,

WHEREAS, considerable time is now consumed by the Police Department in making available the said Teletype Reports and Accident Reports for civil investigations of collisions, burglaries, thefts and other such occurrences involving loss or damage to property or persons, and,

WHEREAS, reports of any kind of a confidential nature, including in particular but not in limitation thereof the criminal or Bertillon records of individual crimes or criminals, are not now made available nor are intended to be made available by reason of this Ordinance, and,

WHEREAS, the Board of Public Safety has heretofore recommended that copies of such Police Teletype and/or Accident reports be furnished to duly authorized persons upon the payment of a stipulated fee,

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

Section 1. That Title 3, Chapter 4, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the addition thereto of Section 3-404 thereto as follows, to-wit:

3-404. Furnishing copies of Teletype or Accident Reports.

(a) Upon the request of any person now entitled to information contained on the Teletype or Accident Report forms of the Indianapolis Police Department or his duly and properly authorized agent, the Indianapolis Police Department shall furnish and deliver one exact photo copy or its equivalent of such reports upon the prepayment of \$1.00 for each copy of each such report requested, to the duly authorized person so requesting same.

(b) The Chief of Police of the Indianapolis Police Department, or the Prosecuting Attorney for the Nineteenth Judicial Circuit may, in their individual discretion, determine and direct in writing that any such reports are of a confidential nature and shall not be so made available.

(c) The Chief of Police of the Indianapolis Police Department shall assign appropriate civilian personnel to the duties created by this Ordinance, and shall require of him or them such bond as the Board of Public Safety shall direct and such bond must be approved by said Board of Public Safety. Such personnel shall make such records available during all regular hours of the Records Division of the Indianapolis Police Department, such hours being prescribed by the Chief of Police.

(d) The fees and charges paid for the within accident or teletype reports shall be credited to the City General Fund together with a weekly written report setting out the number of requests for reports

received, the number of reports furnished and the amount of the fees received.

(e) No charge shall be made for the furnishing of said reports in paragraph (a) above, to any City, County, Township or State Governmental unit.

Section 2. The Criminal Identification and Bertillon Records are not included in the records covered by this chapter.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Finance.

By Councilman McGill:

GENERAL ORDINANCE NO. 67, 1959

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 4 thereof, by the addition thereto of Section 4-503, establishing a prima facie speed limit of 35 miles per hour on Keystone Avenue from 56th Street to Broad Ripple Avenue, providing for a penalty for violation of the same, and fixing a time when the same shall take effect.

WHEREAS, Chapter 48, Section 56, of the Acts of the Indiana General Assembly of 1939, at Page 289, as amended, and cited as Section 47-2005 of Burns Indiana Statutes Ann., authorized local authorities to alter prima facie speed limits, and

WHEREAS, the Traffic Engineer of the City of Indianapolis has conducted an engineering and traffic investigation and has determined that a 35 mile per hour speed limit for the said Keystone Avenue from 56th Street to Broad Ripple Avenue, within the City of Indianapolis, would be reasonable and safe under the existing conditions, and

WHEREAS, the Board of Public Safety has approved said recommendation and has determined that the said speed limit would be safe and reasonable,

NOW, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 4, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the addition thereto of Section 4-403 thereto as follows, to-wit:

Section 4-403. Alteration of prima facie speed limits.—

No person shall drive a motor vehicle on any of the following designated streets, avenues or boulevards or parts of any such streets, avenues or boulevards in the City of Indianapolis at a speed greater than the speed indicated.

Subsection No. 1.

Street	From	To	Maximum Speed
Keystone	56th Street	Broad Ripple Ave	35 mph.

Subsection No. 2. Where no special hazard exists, the above speeds shall be lawful, but any speed in excess of said limit shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

Section 2. Any person, firm or corporation violating any of the provisions of this Ordinance, upon conviction thereof, shall be punished by fine of not more than One Hundred Dollars (\$100.00) or imprisonment for not more than ten days (10), for the first offense; for a second such conviction within one year thereafter, such person, firm or corporation shall be punished by a fine of not more than Two Hundred Dollars (\$200.00), or by imprisonment of not more than 20 days or by both such fine and imprisonment; and upon a third or subsequent conviction within one year after the first conviction, such person, firm or corporation, shall be punished by a fine of not more

than \$500.00 or by imprisonment of not more than six (6) months or by both such fine and imprisonment.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Public Parks.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Williamson:

SPECIAL ORDINANCE NO. 17, 1959

AN ORDINANCE annexing certain contiguous territory of the City of Indianapolis, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, viz:

A part of the Southwest Quarter and part of the North Half of Section 18, Township 16 North of Range 5 East, being more particularly described as follows, to-wit:

Beginning at a point on the North corporation line of the City of Indianapolis at the intersection of the West line of the East Half of the Southwest Quarter of said Section 18 with the North right-of-way line of East 38th Street; thence East upon and along the corporation line of the City of Indianapolis and the North right-of-way line of East 38th Street, to the intersection with the East line of the Southwest Quarter of said Section 18; thence

North upon and along the East line of the Southwest Quarter of the said Section 18, to the intersection of the South right-of-way line of East 42nd Street; thence East upon and along the South right-of-way line of East 42nd Street, to a point 968.22 feet East of the West line of the Northeast Quarter of said Section 18, extended South; thence North and parallel with the West line of the Northeast Quarter of the said Section 18, to the point of intersection of the South corporation line of the City of Lawrence with the East corporation line of the City of Lawrence; thence West upon and along the South corporation line of the City of Lawrence, to the intersection with the West line of the Northeast Quarter of the said Section 18; thence in a Southwesterly direction and parallel with the center line of the Pendleton Pike, to the intersection with the West line of the East Half of the Northwest Quarter of said Section 18; thence South upon and along the West line of the East Half of the Northwest Quarter of the said Section 18 and the West line of the East Half of the Southwest Quarter of the said Section 18, to the place of beginning, containing in all 136 acres more or less.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Which was read for the first time and referred to the Committee on Finance.

ORDINANCES ON SECOND READING

Mr. Williamson called for General Ordinance No. 44, 1959, for second reading. It was read a second time.

Mr. Applegate made a motion to "lay on the table" General Ordinance No. 44, 1959. The motion was seconded by Mr. McGill.

The motion failed to pass by the following roll call vote:

Noes 5, viz: Mrs. Francis, Mr. Huber, Mr. McKinney, Mr. Williamson, President Wallace.

Ayes 4, viz: Mr. Applegate, Mr. Bright, Mr. McGill, Mrs. Pohlmann.

On motion of Mr. Williamson, seconded by Mrs. Francis, General Ordinance No. 44, 1959, was ordered stricken from the files. The motion carried by the following roll call vote:

Ayes 8, viz: Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Noes 1, viz: Mr. Applegate.

Mr. Williamson called for Special Ordinance No. 15, 1959, for second reading. It was read a second time.

On motion of Mr. Williamson, seconded by Mrs. Francis, Special Ordinance No. 15, 1959, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 15, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mr. McGill called for General Ordinance No. 64, 1959, for second reading. It was read a second time.

On motion of Mr. McGill, seconded by Mrs. Francis, General Ordinance No. 64, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mr. McGill called for Special Ordinance No. 14, 1959, for second reading. It was read a second time.

On motion of Mr. McGill, seconded by Mrs. Francis, Special Ordinance No. 14, 1959, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 14, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 60, 1959, for second reading. It was read a second time.

On motion of Mrs. Frances, seconded by Mr. Huber, General Ordinance No. 60, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 60, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 62, 1959, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. Huber, General Ordinance No. 62, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 62, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mr. Applegate called for General Ordinance No. 63, 1959, for second reading. It was read a second time.

On motion of Mr. Applegate, seconded by Mrs. Francis, General Ordinance No. 63, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 63, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

NEW BUSINESS

Mr. Williamson moved that the following Special Resolution, which was read in its entirety, be adopted:

SPECIAL RESOLUTION

BE IT RESOLVED that the Common Council of the City of Indianapolis, State of Indiana, by special resolution authorize the Mayor of the City of Indianapolis to enter into and execute on behalf of the City a joint request (a copy of which is attached hereto) together with the County Council and the Board of Commissioners of the County of Marion, State of Indiana, said joint request being made to The Indianapolis-Marion Building Authority to construct and finance a Civic Auditorium for said City and County governmental units within the territorial boundaries of Marion County, Indiana, for lease to said City and County governmental units, said Auditorium to be of a location, size, contents and cost as indicated in said attached copy, all pursuant to the authority and provisions of Acts of the General Assembly of Indiana, 1953, Chapter 54, as amended, including unpublished 1959 amendments (Burns' Indiana Statutes Annotated, 1957 Pocket Supplement, Section 26—2501, et seq).

REQUEST BY CITY OF INDIANAPOLIS AND COUNTY OF MARION FOR INDIANAPOLIS-MARION BUILDING AUTHORITY TO CONSTRUCT AND FINANCE A CIVIC AUDITORIUM, PURSUANT TO THE PROVISIONS OF ACTS 1953, CHAPTER 54, AS AMENDED, INCLUDING UNPUBLISHED 1959 AMENDMENTS (BURNS IND. STAT. ANN., 1957, POC. SUPP. SEC. 26-2501 ET SEQ.).

WHEREAS, the General Assembly of the State of Indiana has provided a means for the creation of building authorities within the several counties in the state, with the power, upon proper request from governmental units within the boundaries of the particular county, to construct and finance certain buildings, including civic auditoriums, which may then be leased to said governmental units; and

WHEREAS, in the County of Marion, State of Indiana, such a building authority known as "The Indianapolis-Marion Building Authority" has heretofore been duly created and is now operating as a body corporate and politic through a duly appointed Board of Building Authority Trustees, a duly appointed Board of Directors and duly elected officers; and

WHEREAS, within said County of Marion, State of Indiana, lie two governmental units, which are the City; of Indianapolis and the County of Marion, and which have over a period of some three years through a duly appointed group known as "The Indianapolis-Marion Civic Auditorium Committee" already determined the need and desire of their residents for the construction of a civic auditorium within the said city and county, and have already determined by a consensus of opinion of business, fraternal, veteran, religious, school, service, farm and labor groups the relative size of auditorium, meeting room and exhibition space, and have further considered a study and survey of the New Buildings Committee of the International Association of Auditorium Managers which evaluated the feasibility, requirements and location of such an auditorium, and being thus duly advised in the premises, said governmental units have now determined and know the exact nature and requirements of the particular civic auditorium which they need and desire; and

WHEREAS, said governmental units have separately taken proper legal action to authorize the entering into of this joint request to said Building Authority, said action being taken by the Marion County Commissioners, the County Council of Marion County, the Mayor of the City of Indianapolis, and the Common Council of the City of Indianapolis;

NOW, THEREFORE, the City of Indianapolis and the County of Marion, through their respective duly constituted governing bodies, do hereby request the Indianapolis-Marion Building Authority to

construct and finance a civic auditorium for said governmental units within the territorial boundaries of Marion County, Indiana, for lease to said governmental units, said auditorium to be of a location, size, contents and cost as hereinafter indicated, all pursuant to the authority and provisions of Acts 1953, Chapter 54, as amended, including unpublished 1959 amendments (Burns' Indiana Statutes Annotated, 1957 Proc. Supp., Section 26-2501 et seq):

I. ARCHITECTURAL CONSIDERATIONS.

The particular architectural style shall be up to the particular architects hired for the job to achieve the desired end of a plain, modern and attractive building with the emphasis on light and airiness and the necessity of its maintaining a compatibility with future architectural styles, for some fifty years to come.

II. FACILITIES.

A. Auditorium. An arena-type auditorium with a large, central, flat, square-cornered area of 120 feet by 240 feet, surrounded on all sides by mezzanines of 12,000 fixed seats and sufficient additional space for 3,000 temporary seats, making a total maximum 15,000 seats capacity, with specific provision for large-scale state facilities. The central area is to have embedded in its floor piping for refrigeration to enable the central area to be used for ice skating and hockey.

B. Music Hall. A music hall with a seating capacity of 3,500, separate from the auditorium, of a compact, intimate type with stage, main floor, mezzanine, balcony and fixed seats, and having acoustics and appointments of the highest order, with an emphasis on aesthetic and artistic beauty.

C. Exhibition Hall. A minimum of 175,000 square feet of gross area on a single level open area with folding walls to reduce to smaller areas and with some adjoining meeting rooms, either permanent or separate, or capable of being formed by the folding walls; the open area is to be adaptable for parking of cars when not otherwise in use.

D. Meeting Rooms. Twenty (20) or more units of capacities graduated between 100 and 1,000, with part constructed so as to be com-

binable with others, and with the 1,000 capacity room to be a distinctive and beautiful reception hall, complete with stage.

E. Miscellaneous.

- (1) Offices. Approximately 10 offices, including ones for professional auditorium manager, symphony conductor and secretary, and headquarters for promotional agency;
- (2) Dining and Kitchen Facilities. No permanent concessions, but facilities for outside catering;
- (3) Concessions. No retail shops;
- (4) Dressing and Rehearsal Rooms;
- (5) Emergency First Aid Rooms;
- (6) Storage;
- (7) Press. Complete press, radio and TV provisions for main auditorium and for broadcasts directly into larger meeting rooms;
- (8) General. Air conditioned, acoustically sound, with different levels of building to be connected by broad ramps and elevators and/or escalators, with an internal off-street loading dock.

F. Parking. Adequate off-street parking of 2,400 spaces, either underground, or in adjacent covered areas reachable by a covered runway; already existing adjacent parking facilities may be utilized outside of the area of this project so long as they are reachable by covered runways.

III. AREA REQUIRED AND SPECIFIC LOCATION.

For a civic auditorium of this size, to be constructed as a horizontal development with adequate landscaped buffer zone, will require two city blocks, each being 420 feet by 420 feet, with an intervening street. The specific area satisfying these requirements

and being near the center of the city and hotel and transportation facilities is the two-block area located as follows:

First Block: Bounded on the north by Maryland Street, on the east by Illinois Street, on the south by Georgia Street, and on the west by Capitol Avenue;

Intervening Street: Georgia Street;

Second Block: Bounded on the north by Georgia Street, on the east by Illinois Street, on the south by Louisiana Street, and on the west by Capitol Avenue.

IV. COST AND FINANCING. (One Half by Each Governmental Unit.)

- A. Estimated Cost of Construction: \$16,000,000.00.
- B. Financing of Initial Expenses: To be supplied by annual budgeted amounts from each governmental unit, reimbursable by Building Authority upon issuance of bonds; estimated, initial amount from each governmental unit: \$35,000.00.
- C. Financing of Construction. By bonds issued by Building Authority under provisions of Acts 1951, Chapter 54, supra, guaranteed by said city and county.
- D. Terms of Use by Governmental Units: By lease, pursuant to procedure provided by Acts 1953, Chapter 54, supra, for a term of years up to 40 years with right of outright purchase or renewal of lease for like maximum period of governmental units, and with annual lease payment equally divided between governmental units. Funds are to be raised as regular budgeted items by taxation, with income from operation of auditorium being paid directly into general fund; annual amount to be first estimated and then modified in accordance with actual experience in operation of auditorium in light of revenue income and operating costs.

V. MANAGEMENT.

While the auditorium will be constructed by and under the au-

thority of the Building Authority Trustees of the Indianapolis-Marion Building Authority and will be owned, equipped, and operated by them, the actual management of such a civic auditorium calls for expert day-to-day attention which can only be achieved by hiring a full-time, professional, expert auditorium manager, accountable directly to the Board of Directors of the Building Authority. It is desired that such auditorium manager be employed one year prior to the expected date for completion of construction.

The specific requirements for the civic auditorium have been determined to the complete satisfaction of the governmental units by a thorough, five-year survey and represent the consensus of opinion of over 300 groups representing over 200,000 residents within the governmental units; they have been included in the interest of aiding the Building Authority to meet the specific need of the specific locality and to enable them to proceed without any unnecessary, prolonged and duplicative redetermination.

Should questions of interpretation of the specific requirements arise, it is the recommendation of the governmental units that their joint representative group most familiar with the requirements, i. e. The Indianapolis Marion Civic Auditorium Committee, be appointed by the Board of Directors of the Building Authority in an ex-officio capacity and be consulted to resolve them.

Should questions of variance from the specific requirements arise from a need for adaptation in the course of architectural planning, they may be received by consultation with and agreement of the governmental units, themselves. This joint request of the City of Indianapolis and the County of Maron, as governmental units located within Marion County, State of Indiana, to the Indianapolis-Marion Building Authority is entered into and executed this-----day of -----, 1959, as evidenced by the signatures of the following duly constituted officials of said governmental units:

CITY OF INDIANAPOLIS

MAYOR:-----

Hon. Charles H. Boswell

COMMON COUNCIL:

Joseph C. Wallace

Gladys Pohlmann

Roscoe A. McKinney

William H. Williamson

R. Thomas McGill

Charles W. Applegate

August C. Huber

Mary M. Francis

Joseph E. Bright

COUNTY OF MARION

COMMISSIONERS:

J. Wesley Brown

Lester Durham

Eph W. Virt

COUNTY COUNCIL:

Josephine K. Bicket

John Hardin

Frank J. Billeter

John A. Kitley

Edwin J. Koch

Louis Moller

Fred W. Nordsiek

Clem Smith, Auditor

Mr. Bright moved that the Special Resolution be held for further study, and the motion was seconded by Mr. Williamson, and passed unanimously by the Council.

President Wallace assigned the Special Resolution to the Finance Committee for further consideration.

Mr. Williamson introduced a Special Resolution pertaining to a lease agreement with the Municipal Airport.

The Resolution was read in its entirety.

SPECIAL RESOLUTION, 1959

A SPECIAL RESOLUTION AUTHORIZING THE BOARD OF AVIATION COMMISSIONERS OF THE CITY OF INDIANAPOLIS, INDIANA, TO ENTER INTO A LEASE AGREEMENT WITH AVIS FORD, INC., A MICHIGAN CORPORATION, FOR THE PURPOSE OF THE CONSTRUCTION AND OPERATION OF A MOTEL AT THE WEIR COOK MUNICIPAL AIRPORT, INDIANAPOLIS, INDIANA, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT.

WHEREAS, the Board of Aviation Commissioners of the City of Indianapolis has heretofore determined that there is a great need for housing accommodations for travelers at the Weir Cook Airport and that there are at present no adequate facilities upon said Airport for the accommodation of the traveling public, that the operation of a motel upon the Airport property would be a great convenience for travelers and will materially enhance the value of said Airport to the Citizens of the City of Indianapolis by the attracting of additional revenue to said Airport; and,

WHEREAS, the Board of Aviation Commissioners of the City of Indianapolis has heretofore published and offered for competitive bid pursuant to its certain published specifications, its request for bid proposals for the construction and operation of a motel upon the Weir Cook Municipal Airport; and,

WHEREAS, on the 24th day of June, 1959, at 2:00 o'clock P.M.,

said bids were submitted, and the highest and best bidder was determined to be Avis Ford, Inc., which has offered to construct a motel consisting of fifty rooms with related facilities and services, to cost not less than \$400,000.00, all to be constructed at bidder's expense and to pay the Board of Aviation Commissioners an annual percentage rental in an amount equal to 8¾% of the gross motel receipts but in no event less than \$15,000.00 annually, said lease to run for the term of 20 years after the beginning of motel operations with an option for an additional 10 years upon the same terms, the detailed specifications and requirements being more fully described in said invitation for bids; and

WHEREAS, it is deemed in the best interests of the City of Indianapolis and its Weir Cook Municipal Airport to accept said bid of said Avis Ford, Inc., and to authorize the construction of said motel upon said terms:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA, that

Section 1. That the Board of Aviation Commissioners of the City of Indianapolis, Indiana, is hereby authorized, directed and empowered to enter into a lease agreement with Avis Ford, Inc., for the construction of a motel, consisting of not less than 50 double rooms, semi-deluxe type with a swimming pool and related equipment and furnishings, to be built at Lessee's expense, Lessee to have the right to operate the said motel for the term of 20 years from the date operation is begun with an option to renew for an additional term of 10 years at an annual percentage rental of 8¾% of all gross receipts but with a minimum guarantee of \$15,000.00 rental per year and subject to all of the additions and requirements more fully set out in the bid of Avis Ford, Inc. and the published specifications of the Board of Aviation Commissioners.

Section 2. This Special Resolution shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

Mr. Williamson moved that the Special Resolution be held for further study, and the motion was seconded by Mrs. Francis, and passed unanimously by the Council.

President Wallace assigned the Special Resolution to the Finance Committee for further consideration.

On motion of Mr. Bright, seconded by Mrs. Francis, the Common Council adjourned at 9:55 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 6th day of July, 1959, at 7:30 P.M.

In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Joseph C. Wallace

ATTEST:

President.

Teresa J. Rappley

(SEAL)

City Clerk

July 6, 1959]

City of Indianapolis, Ind.

443

