

REGULAR MEETING

Monday, September 7, 1964, 7:30 P.M.

Whereas, this day being Labor Day and the City-County Building was closed and some of the Councilmen would not be present and

Whereas, there was a question of having enough Councilmen present to constitute a quorum, President Wallace issued a call for a Special Meeting on September 9, 1964 at 7:30 P.M.

SPECIAL MEETING

September 9, 1964, 7:30 P.M.

TO THE MEMBERS OF THE COMMON COUNCIL,
INDIANAPOLIS, INDIANA

Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the COMMON COUNCIL held in the Council Chamber on Wednesday, September 9th 1964, at 7:30 P.M.

the purpose of such SPECIAL MEETING being to receive communications from the Mayor and other city officials; to receive committee reports on ordinances and other matters pending before the Council; to receive ordinances and resolutions for introduction; to consider on second and/or third reading and/or for passage of ordinances now pending before the Council; to receive committee reports and to consider on second and/or third reading and/or for passage under suspension of the rules any ordinance which has been introduced and is properly before the Council.

Respectfully,

JOSEPH C. WALLACE
President, Common Council

I, Angeline Allstatt, Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such SPECIAL MEETING, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

ANGELINE ALLSTATT
City Clerk

(SEAL)

Which was read by the Clerk. The President called the meeting to order.

The Clerk called the roll:

Present: Mr. Brydenthal, Rev. Cummings, Mr. Egenes, Mr. Kuykendall, Mr. McGill, Mr. Moriarty and President Wallace.

Absent: Mr. Deluse and Mr. Hasbrook.

On motion of Mr. McGill seconded by Mr. Kuykendall, the reading of the previous meeting were dispensed with.

The Clerk was asked to read Communication from the Mayor and City Officials.

COMMUNICATIONS FROM THE MAYOR

Indianapolis, Indiana, August 19, 1964

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. Angeline Allstatt, the following City Ordinances:

GENERAL ORDINANCE NO. 83, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of Section 4-844-1, prohibiting parking within twelve feet in either direction from a fire hydrant, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 87, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 12 thereof, by the addition of a subsection to Section 4-1203 (c) permitting cafeteria court traffic tickets to be issued for violation of fire hydrant parking ordinance, and fixing a time when said amendment shall take effect.

Respectfully submitted,

JOHN J. BARTON,
Mayor

Indianapolis, Indiana, September 9, 1964

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

Re: General Ordinance No. 86
(1965 Budget)

Gentlemen:

Pursuant to the laws of the State of Indiana, I herewith submit the proposed Budgets of the Department of Government of the

City of Indianapolis, Indiana, for the year 1965, together with the proposed tax levies of the various funds, as prepared by the City Controller, who has recommended that the proposed Budget and Tax Levies be approved by me and transmitted to your Honorable Body.

I have approved this Budget and Tax Levies, and respectfully recommend their adoption.

In your consideration of the Budget, I want to assure you that the services of all City Officials and Employees are at your disposal and subject to your command.

Respectfully submitted,

JOHN J. BARTON,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Indiana, September 9, 1964

To the Honorable President and Members of the Common
Council of the City of Indianapolis:

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on Friday, August 21, 1964 and again on Friday, August 28, 1964 General Ordinance No. 83, 1964, and General Ordinance No. 87, 1964.

Said Ordinances will be in full force and effect after approval by the Mayor and elapse of eight days after last publication.

Respectfully submitted,

ANGELINE ALLSTATT,
City Clerk

September 9, 1964]

City of Indianapolis, Ind.

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Indianapolis, Indiana, September 9, 1964

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. 15, 1964, appropriating, transferring, reappropriating and reallocating the sum of Four Thousand Seven Hundred Eighty-one Dollars and Fifty-eight Cents (\$4,781.58), and fixing a time when the same shall take effect.

Respectfully submitted

DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana, September 9, 1964

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. 16, 1964, appropriating, transferring, reappropriating and reallocating the sum of Two Hundred Sixty Thousand and no/100 Dollars (\$260,000.00), from the unappropriated balance of the Redevelopment District Fund to Fund 73, Properties, Land and Improvements, in the Department of Redevelopment, and fixing a time when said Ordinance shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana, September 9, 1964

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. 90, 1964, authorizing the Board of Public Works of the City of Indianapolis, to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

Indianapolis, Indiana, September 9, 1964

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. 91, 1964, approving location of an additional project selected for construction by the Metropolitan Thoroughfare Authority of Marion County, Indiana.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

Indianapolis, Indiana, September 9, 1964

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. 92, 1964, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the deletion and repeal of certain subsection of Section 4-821, prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., Section 4-821 (a) prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., Section 4-834, prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M. and Section 4-834.2 prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M. and 3:00 P.M. to 6:00 P.M., and fixing a time when said amendment shall take effect.

Respectfully submitted,

JAMES L. CUMMINGS
Councilman

Indianapolis, Indiana, September 9, 1964

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. 93, 1964, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a subsection to Section 4-821 (a), prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

JAMES L. CUMMINGS
Councilman

Indianapolis, Indiana, September 9, 1964

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. 94, 1964, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a sub-section to Section 4-834, prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M., providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

JAMES L. CUMMINGS
Councilman

Indianapolis, Indiana, September 9, 1964

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. 95, 1964, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 13 thereof, by the addition of a sub-section to Section 4-1304, prohibiting trucks on certain streets, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

JAMES L. CUMMINGS
Councilman

Indianapolis, Indiana, September 9, 1964

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. 96, 1964, a proposed Switching Contract, said Contract has been signed by Board of Works.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

Indianapolis, Indiana, September 9, 1964

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 13, 1964, annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

On motion of Mr. McGill, seconded by Mr. Bryden-thal, the Council recessed at 7:45 P.M. to hear a committee report on General Ordinance No. 88, 1964.

The Council reconvened at 7:50 P.M.

The Clerk read the Committee report on General Ordinance No. 88, 1964.

COMMITTEE REPORT

Indianapolis, Indiana, September 9, 1964

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 88, 1964, entitled

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

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

R. THOMAS MCGILL, Chairman
MAX E. BRYDENTHAL
RUFUS C. KUYKENDALL

President Wallace asked for first reading of New Ordinances.

INTRODUCTION OF APPROPRIATION ORDINANCES

APPROPRIATION ORDINANCE NO. 15, 1964

Introduced by Councilman Moriarty:

AN ORDINANCE, appropriating, transferring, reappropriating and

reallocating the sum of Four Thousand Seven Hundred Eighty-one Dollars and Fifty-eight Cents (\$4,781.58), from certain specific, designated items and funds in the Department of Civil Defense of the City of Indianapolis, to certain other designated items and funds in the same department, created by virtue of the 1964 Budget, General Ordinance No. 58, 1963, 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, and certain monies appropriated for certain accounts of the Department of Civil Defense are insufficient to meet current needs of the Department, and

WHEREAS, certain existing appropriations for said department now have unobligated balances which will not be needed for the purpose for which appropriated.

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

Section 1. That certain items and funds specifically budgeted in the Department of Civil Defense, be and the same are hereby reduced in the following amounts, to-wit:

DEPARTMENT OF CIVIL DEFENSE

REDUCE	TAX LEVY
2. SERVICES CONTRACTUAL	
21. Communication and Transportation -----	\$ 800.00
24. Printing and Advertising -----	933.75
25. Repairs -----	93.22
26. Other Contractual -----	475.00
	\$2,301.97
3. SUPPLIES	
31. Ice and Fuel -----	\$ 354.61
37. General Supplies -----	100.00
	\$ 454.61

5. CURRENT CHARGES

52. Rental on Equipment -----	\$1,200.00
	<u> </u>
	\$1,200.00

7. PROPERTIES

72. Equipment -----	\$ 825.00
	<u> </u>
	\$ 825.00
	<u> </u>
	\$4,781.58

and

INCREASE

TAX LEVY

1. SERVICES—PERSONAL

12. Temporary Salaries and Wages -----	\$4,281.58
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3. SUPPLIES

32. Garage and Motor -----	\$ 400.00
36. Office Supplies -----	100.00
	<u> </u>
	\$4,781.58

Section 2. This transfer and reappropriation is necessary because of an emergency which exists in the Civil Defense Department having to do with the unloading Fallout Shelter Supplies and in meeting a deadline having to do with the same.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as by law required.

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

Introduced by Councilman Moriarty:

APPROPRIATION ORDINANCE NO. 16, 1964

AN ORDINANCE, appropriating, transferring, reappropriating and reallocating the sum of Two Hundred Sixty Thousand and no/100

(\$260,000.00) Dollars, from the unappropriated balance of the Redevelopment District Fund to Fund 73, Properties, Land and Improvements, in the Department of Redevelopment.

WHEREAS, The monies previously appropriated for the Redevelopment Commission are insufficient to meet certain needs of the program of the Commission; and

WHEREAS, The monies provided for Properties, Land and Improvements will not permit the Commission to advance its program of acquisition and clearance in the Redevelopment Project I, and other project areas; and

WHEREAS, In order to meet the emergency it is necessary to expend more money for the current year than was set out in detail in the budget of the Department of Redevelopment; Item 73, Properties, Land and Improvements; and

WHEREAS, The funds for such expenditures are available from the unappropriated balance within the Redevelopment District Fund.

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

Section 1. That certain items and funds specifically budgeted in the Department of Redevelopment, be and the same are hereby reduced in the amount of Two Hundred Sixty Thousand Dollars (\$260,000.00), to-wit:

DEPARTMENT OF REDEVELOPMENT

REDUCE	Redevelopment Fund
The anticipated, unexpended, unappropriated and un-	
used balance of the Redevelopment District Fund_____	
	\$260,000.00

INCREASE:	Redevelopment Fund
7. PROPERTIES	
73. Properties, Land and Improvement	_____
	\$260,000.00

Section 2. This transfer and reappropriation is necessary due to

an existing emergency created by the depletion of funds in Account 73, and due to the need to acquire and clear a large block of contiguous land in Project I, in order to be ready for residential construction early in the Spring of 1965.

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. It is requested that the Council suspend the rules and approve this request at their regular meeting, Wednesday, September 9, 1964.

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

INTRODUCTION OF GENERAL ORDINANCES

GENERAL ORDINANCE NO. 90, 1964

Introduced by Councilman McGill:

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, to purchase through its duly authorized Purchasing Agent, certain supplies 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 Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the hereinafter designated supplies to be used by the Department as indicated. The said supplies are 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 supplies shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS
STREET COMMISSIONER

Req. No. 10,972—Base Bid for 5,000 tons (more or less)
Rock Salt -----\$61,750.00

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 Works.

GENERAL ORDINANCE NO. 91, 1964

Introduced by Councilman Brydenthal:

AN ORDINANCE approving location of an additional project selected for construction by the Metropolitan Thoroughfare Authority of Marion County, Indiana.

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

Section 1. The Metropolitan Thoroughfare Authority of Marion County, Indiana, has selected an additional project for construction in the City of Indianapolis and in Marion County, and has transmitted to this City a copy of its Resolution to this effect; that prior hereto by General Ordinance No. 22, 1964, other such projects were approved in the City of Indianapolis, being Projects No. 1-5.

Section 2. Said Authority has approved the following additional project:

Arlington Avenue from the intersection with 21st Street north to the intersection with 22nd Street, including the widening of 21st Street and appurtenant construction thereto, known as Metropolitan Thoroughfare Project No. 3A and for all purposes designated as MTA-CP64-3A.

Section 3. Chapter 386 of the Acts of the Indiana General Assembly for 1963, provides that said Thoroughfare Authority is to be the construction instrumentality for major roadway building in Indianapolis and Marion County, but that it can not begin any project or expend any funds unless and until the location of such project or projects shall be concurred in and approved by this Common Council.

Section 4. Accordingly the prior additional project and the location thereof is hereby concurred in and approved by this Council in accordance with Chapter 386 of the Acts of 1963, Section 3 thereof, (Burns' R.S. Vol. 3, 36-3403).

Section 5. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and the Clerk is ordered to certify a copy of this ordinance to the Secretary-Director of said Metropolitan Thoroughfare Authority of Marion County.

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

GENERAL ORDINANCE NO. 92, 1964

Introduced by Councilman Cummings:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the deletion and repeal of certain subsections of Section 4-821, prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., Section 4-821(a) prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., Section 4-834, prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M. and Section 4-834.2 prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M. and 3:00 P.M. to 6:00 P.M., and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-821 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the deletion and repeal thereof, of the following subsection, as follows:

	Street	Side	From	To
4.	Massachusetts	Southeast	Vermont Street	Cornell Avenue

Section 2. That Title 4, Chapter 8, Section 4-821(a) of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the deletion and repeal thereof, of the following subsection as follows:

	Street	Side	From	To
20.	Massachusetts	Southeast	Alabama Street	North Street

Section 3. That Title 4, Chapter 8, Section 4-834 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the deletion and repeal thereof, of the following subsection as follows:

	Street	Side	From	To
8.	Massachusetts	Northeast	North Street	Alabama Street

Section 4. That Title 4, Chapter 8, Section 4-834.2 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the deletion and repeal thereof, of the following subsection as follows:

	Street	Side	From	To
1.	Massachusetts	Northwest	College Avenue	Carrollton Ave.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, compliance with all laws pertaining thereto and publication as required by law.

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

GENERAL ORDINANCE NO. 93, 1964

Introduced by Councilman Cummings:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a sub-section to Section 4-821(a), prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-821(a) of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following sub-section, as follows:

No.	Street	Side	From	To
26.	Massachusetts	Northwest	Tenth Street	Alabama Street

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, Indiana, 1951, as amended.

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

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

GENERAL ORDINANCE NO. 94, 1964

Introduced by Councilman Cummings:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particu-

larly Title 4, Chapter 8 thereof, by the addition of a subsection to Section 4-834, prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M., providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-834 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following subsection, as follows:

No.	Street	Side	From	To
38.	Massachusetts	Southeast	Alabama Street	Tenth Street

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 8, Section 4-831, of the Municipal Code of Indianapolis, Indiana, 1951, as amended.

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

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

GENERAL ORDINANCE NO. 95, 1964

Introduced by Councilman Cummings:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 13 thereof, by the addition of subsections to Section 4-1304, prohibiting trucks on certain streets, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 13, Section 4-1304 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following subsections, as follows:

No.	Street	From	To
k	Hillside Avenue	Kessler Blvd.	59th Place
l	Hillside, East Drive	59th Place	61st Place
m	Hillside, West Drive	59th Place	61st Place
n	Hillside Avenue	61st Place	61st Street

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 13, Section 4-1309 of the Municipal Code of Indianapolis, Indiana, 1951, as amended.

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

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

SWITCH PERMIT

Introduced by Councilman McGill:

GENERAL ORDINANCE NO. 96, 1964

AN ORDINANCE approving a certain agreement and permit granting Jenn Industries Incorporated the right to lay and maintain a side-track or switch from The New York Central Railroad Company's Springfield Line over and across East 30th Street approximately 665 feet east of the intersection of the center lines of East 30th Street and Shadeland Avenue

according to blue print attached, in the City of Indianapolis, Indiana

WHEREAS, heretofore, to-wit: on the 29th day of July, 1964, Jenn Industries Incorporated filed its petition before the Board of Public Works of the City of Indiana, as follows:

PETITION

To BOARD OF PUBLIC WORKS, City of Indianapolis

Gentlemen:

Jenn Industries Incorporated respectfully petitions the Board of Public Works to permit the installation of a sidetrack or switch track from The New York Central Railroad Company's Springfield Line upon and across East 30th Street in the City of Indianapolis, Indiana at a point approximately 665 feet east of the intersection of the center lines of East 30th Street and Shadeland Avenue, details of which are shown on New York Central's Plan No. 36879, dated July 28, 1964, attached hereto and marked for identification as "Exhibit A."

Said sidetrack or switch track is required to permit rail service to petitioner's industrial facility located to the north of East 30th Street in this area.

NOW, THEREFORE, This agreement made and entered into this 29th day of July, 1964, by and between Jenn Industries Incorporated of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a permit for a right of way for a sidetrack or switch from The New York Central Railroad Company's Springfield Line upon and across East 30th Street in the City of Indianapolis, which is more specifically described as follows:

Said sidetrack or switch track to be located approximately 665 feet east of the intersection of the center lines of East 30th Street and Shadeland Avenue as shown in detail on New York Central Plan No. 36879, dated July 28, 1964, attached hereto and marked for identification as "Exhibit A."

hereby covenants and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct, maintain and pay all costs and expenses either now or hereafter connected

with said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, maintained, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis, and to all laws and ordinances, adopted and enacted pursuant to the police powers of said city.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said track, or tracks; provided further that all the costs thereof shall be paid by the said party of the first part, who hereby waives any division of such costs as now or hereafter provided by any statute, or otherwise.

(3) The crossing where said track intersects, East 30th Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser. Said notice shall fix a day for hearing before said Board where objections to such removal may be heard; but the decision of said Board shall be final and conclusive on the party of the first part who hereby expressly waives any right to have such exercise of discretion reviewed by any court.

(5) The party of the first part agrees to pave between the rails of said track and for eighteen inches on both sides thereof, to the entire satisfaction of the second party, and in case said tracks and pavement or either thereof shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair, reconstruct, or remove same, failing in which, after notification in writing of ten (10) days, said Board may do or cause the same to be done at the expense of the said party of first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against such claims.

(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this permit, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof or supplemental thereto, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby grants and duly permits said party of the first part to exercise the right, privilege and authority to lay and maintain an additional sidetrack or switch across East 30th Street in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 29th day of July, 1964.

JENN INDUSTRIES INCORPORATED

by TANIS J. DUNN, President

Party of the First Part

Witness: LESLIE HOWELL, Secretary

CITY OF INDIANAPOLIS

By HUGH S. BAKER, President
GRANT W. HAWKINS

by ROSCOE BREDELL
WAYNE W. WARRICK

As BOARD OF PUBLIC WORKS

Party of the Second Part

Approved by me

As Mayor.

AND, WHEREAS, Said agreement and permit has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That such agreement and permit above set forth be, and the same is hereby in all things confirmed and approved.

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

Attest:

Clerk of the Common Council

President of the Common Council

Approved by me, this_____day of_____, 19____

Mayor

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

INTRODUCTION OF SPECIAL ORDINANCES

SPECIAL ORDINANCE NO. 13, 1964

Introduced by Councilman Moriarty:

AN ORDINANCE annexing certain contiguous territory to 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. Said territory being located in and being a part of the Southeast Quarter of Section 18, Township 16 North, Range 5 East in Lawrence Township, Marion County, Indiana, described as follows, to-wit:

Lots numbered One (1), Two (2) and Three (3) in Stovall Manor as recorded in Plat Book 29, page 279 in the Office of the Recorder of Marion County, Indiana, plus 1.05 acres contiguous on the South side of Lots 1, 2 and 3 and more particularly described as follows:

Starting at the Southwest corner of Lot No. 1 in Stovall Manor, thence proceeding East for a distance of 307.8 feet to a point, thence North 150 feet to a point, thence west 307.6 feet, to a point, thence north 150 feet to the place of beginning, containing 1.05 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.

Mr. McGill asked that General Ordinance No. 88, 1964

be read a second time. The Clerk read the Ordinance.

On motion of Mr. McGill, seconded by Mr. Kuykendall, General Ordinance No. 88, 1964 was ordered engrossed, read a third time and placed upon its passage. The Clerk read the Ordinance a third time and it passed by the following roll call vote.:

Ayes 7, viz: Mr. Brydenthal, Rev. Cummings, Mr. Egenes, Mr. Kuykendall, Mr. McGill, Mr. Moriarty and President Wallace.

Mr. Brydenthal asked for a suspension of rules to consider General Ordinance No. 91, 1964. Mr. Brydenthal moved, seconded by Mr. McGill that the rules be suspended to allow a vote on the Ordinance.

The Clerk called the roll on suspension of rules and it passed on following roll call vote:

Ayes 7, viz: Mr. Brydenthal, Rev. Cummings, Mr. Egenes, Mr. Kuykendall, Mr. McGill, Mr. Moriarty and President Wallace.

Mr. Brydenthal asked for a reading of the Committee report.

The Clerk read the Committee report.

Indianapolis, Indiana, September 9, 1964

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

Gentlemen:

We, your Committee on Parks to whom was referred to General Ordinance No. 91, 1964, entitled

Additional project for construction by the Metropolitan
Thoroughfare Authority

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

MAX E. BRYDENTHAL, Chairman
RUFUS C. KUYKENDALL
DANIEL P. MORIARTY
JAMES L. CUMMINGS

Mr. Brydenthal asked for a second reading of General Ordinance No. 91, 1964. The Clerk read the Ordinance.

Mr. Brydenthal moved that General Ordinance No. 91, 1964 be ordered engrossed, read a third time and placed upon its passage under suspension of rules.

The motion was seconded by Mr. McGill. The Clerk read the Ordinance a third time and it passed pursuant to suspension of rules on following roll call vote:

Ayes 7, viz: Mr. Brydenthal, Rev. Cummings, Mr. Egenes, Mr. Kuykendall, Mr. McGill, Mr. Moriarty and President Wallace.

On motion of Mr. Kuykendall, seconded by Mr. McGill, the Council adjourned at 8:08 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 9th day of September, 1964.

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

Angeline Allstatt

(SEAL)

City Clerk