

REGULAR MEETING

Monday, March 7, 1966, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis was held in the General Assembly Room of the City-County Building on Monday, March 7, 1966 at 7:30 P.M.

President Wallace in the Chair.

The Clerk called the roll.

Present: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Absent: Mr. Deluse, who was out of the State and Mr. McGill, who was in the hospital.

On motion of Mr. Kuykendall, seconded by Mr. Brydenthal, the reading of the minutes of the previous meeting was dispensed with.

President Wallace called for the reading of Communications from the Mayor and other City Officials:

COMMUNICATIONS FROM THE MAYOR

February 25, 1966

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. 8, 1966

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 subsections No. 17 and No. 18 of Section 4-834.1 prohibiting parking, stopping or standing on certain streets between 6:00 A.M. and 9:00 A.M. and between 3:00 P.M. and 6:00 P.M., and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 9, 1966

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 subsection No. 7 of Section 4-821 (a) prohibiting parking, stopping, or standing between 3:00 P.M. and 6:00 P.M. on certain streets, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 10, 1966

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 subsection No 55 of Section 4-817 prohibiting parking, stopping or standing between 7:00 A.M. and 9:00 A.M. on certain streets, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 11, 1966

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 subsection No. 51 of Section 4-819, prohibiting parking, stopping or standing between 4:00 P.M. and 6:00 P.M. on

certain streets, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 12, 1966

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 subsections No. 40 and No. 41 to Section 4-834, prohibiting parking, stopping or standing on certain streets from 6:00 A.M. to 9:00 A.M. and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 13, 1966

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 subsections No. 31 and No. 32 to Section 4-821 (a) prohibiting parking, stopping or standing on certain streets from 3:00 P.M. to 6:00 P.M., and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 14, 1966

An Ordinance approving location of projects selected for construction by the Metropolitan Thoroughfare Authority of Marion County.

GENERAL ORDINANCE NO. 15, 1966

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.

GENERAL ORDINANCE NO. 17, 1966

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 13, Section 4-1303 (2) by the addition of a subsection thereto prohibiting the use of motor

vehicles and trucks having a gross weight in excess of 10,000 pounds on certain streets and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 18, 1966

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.

GENERAL ORDINANCE NO. 20, 1966

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.

APPROPRIATION ORDINANCE NO. 4, 1966

An Ordinance appropriating the sum of One Million Two Hundred Seventy Four Thousand Dollars (\$1,274,000.00), from the anticipated and unappropriated balance of the Gas Tax Wind-fall Fund of the City of Indianapolis to certain other designated items and funds in the Board of Public Works.

APPROPRIATION ORDINANCE NO. 6, 1966

An Ordinance appropriating the sum of Three Thousand Two Hundred Eighty Four Dollars (\$3,284.00) from the anticipated, unexpended and unappropriated balance of the General Fund of the City of Indianapolis to certain designated items and funds in the Department of Public Safety, Police Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 7, 1966

An Ordinance appropriating the sum of Thirty Five Thousand Dollars (\$35,000.00) from the anticipated, unexpended and

unappropriated balance of the General Fund of the City of Indianapolis to a certain designated item and fund in the Department of Public Safety, Police Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 8, 1966

An Ordinance transferring, reappropriating and reallocating the sum of Ten Thousand Dollars (\$10,000.00) from certain specific, designated items and funds in the Department of Public Parks of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1965 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 9, 1966

An Ordinance transferring, reappropriating and reallocating the sum of Nine Thousand Six Hundred Fifteen Dollars and Twenty Cents (\$9,615.20) from a certain specific, designated item and fund in the Department of Public Safety, Police Department, to a certain other designated item and fund in the same Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 10, 1966.

An Ordinance appropriating, transferring, reappropriating and reallocating the sum of Eleven Thousand Nine Hundred Thirty-Five Dollars (\$11,935.00) from the unanticipated, unexpended and unappropriated balance of the General Fund of the City of Indianapolis to Fund 11—Salaries and Wages, Regular, of the Executive Department, Office of the Mayor, and fixing a time when the same shall take effect.

Respectfully submitted,
JOHN J. BARTON,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

March 7, 1966

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 General Ordinance No. 4, 1966, As Amended, and General Ordinance No. 5, 1966 on February 18, 1966 and again on February 25, 1966. Said Ordinances will be in full force and effect March 7, 1966.

Also pursuant to the laws of the State of Indiana I caused to be published 'Notice of Public Hearing' on Appropriation Ordinance No. 11, 1966 and on General Ordinance No. 25, 1966 in the Indianapolis News and the Indianapolis Commercial on February 25, 1966 and again on March 4, 1966. Date of said public hearings being March 7, 1966.

Also caused to be published in above named papers on February 28, 1966 and again on March 7, 1966 General Ordinances No. 8, No. 9, No. 10, No. 11, No. 12, No. 13 and No. 17, 1966. Said Ordinances will be in full force and effect on and after March 15, 1966.

Respectfully submitted,
ANGELINE ALLSTATT,
City Clerk

Indianapolis, Indiana, March 7, 1966

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. 28, 1966, authorizing the Board of Public Works, Municipal Garage, of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of

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funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,
DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana, March 7, 1966

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. 29, 1966 amending the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, by the addition of provisions prohibiting abandonment of vehicles; restricting the disposition or keeping of wrecked, non-operating, or discarded vehicles on streets or private property; providing for impounding of certain vehicles; and imposing penalties.

Respectfully submitted,
HAROLD J. EGENES
Councilman

Upon motion of Mr. Kuykendall, seconded by Mr. Brydenthal, the Council recessed at 7:55 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinance No. 11, 1966 and General Ordinances No. 22, No. 23, No. 24, No. 25, No. 26 and No. 27, 1966.

The Council reconvened at 10:40 P.M.

President Wallace called a five minute recess.

After the recess President Wallace called for reading of Committee Reports which were read by the Clerk.

COMMITTEE REPORTS

Indianapolis, Ind., March 7, 1966

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 Appropriation Ordinance No. 11, 1966, entitled

REDUCE—Services—Personal by adding to allowance for anticipated vacancies . . . \$37,800.00 to create 12 Civilian Teletype Operators.

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

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

Indianapolis, Ind., March 7, 1966

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. 26, 1966, entitled

AN ORDINANCE to regulate sale of Obscene Literature.
beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for future meeting.

DANIEL P. MORIARTY, Chairman

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Indianapolis, Ind., March 7, 1966

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

Gentlemen:

We, your Committee on Health, to whom was referred General Ordinance No. 23, 1966, entitled

AUTHORIZATION to purchase for Street Commissioner . . .
1 Truck, 1 Station Wagon, 6 Chasis and Cabs, 2 Front wheel
loaders and 6 Spreaders.

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

JAMES L. CUMMINGS
HAROLD J. EGENES
THOMAS C. HASBROOK

Indianapolis, Ind., March 7, 1966

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

Gentlemen:

We, your Committee on Health to whom was referred General Ordinance No. 24, 1966, entitled

AUTHORIZATION to purchase for Street Commissioner . . .
Fuel Oil.

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

JAMES L. CUMMINGS
HAROLD J. EGENES
THOMAS C. HASBROOK

Indianapolis, Ind., March 7, 1966

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 General Ordinance No. 25, 1966, entitled

CREATING and authorizing Cumulative Building Fund for Park Department.

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

MAX E. BRYDENTHAL, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS
THOMAS C. HASBROOK

Indianapolis, Ind., March 7, 1966

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 General Ordinance No. 27, 1966, entitled

AUTHORIZING 56 hours work week for Fire Department.

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

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

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Indianapolis, Ind., March 7, 1966

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 22, 1966, entitled

AUTHORIZING purchase of 2 Ton Truck for Civil Engineer.

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

HAROLD J. EGENES, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS

President Wallace called for Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

GENERAL ORDINANCE NO. 28, 1966

Introduced by Councilman Moriarty.

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 here-

inafter designated supplies to be used by the Department as indicated. 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

Municipal Garage

Reqn. No. R-7520—Base Bid for 1,000 tires and 100 tubes
(more or less) -----\$12,000.00

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 Finance.

GENERAL ORDINANCE NO. 29, 1966

Introduced by Councilman Egenes:

AN ORDINANCE prohibiting abandonment of vehicles; restricting the disposition or keeping of wrecked, non-operating, or discarded vehicles on streets or private property; providing for impounding of certain vehicles; and imposing penalties.

WHEREAS, in the City of Indianapolis vehicles are or may in the future be abandoned in the streets and other places within the City; and

WHEREAS, there are or may in the future be dismantled, wrecked, junked, non-operating or discarded vehicles left about the City other than junk yards or other appropriate places; and

WHEREAS, such conditions tend to impede traffic in the streets or interfere with the enjoyment of and reduce the value of private

property; invite plundering; create fire hazards and other safety and health hazards to children as well as adults; interfere with the comfort and well-being of the public; and create, extend, and aggravate urban blight; and

WHEREAS, adequate protection of the public health, safety, and welfare requires that such conditions be regulated, abated, or prohibited;

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

Section 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

(1) "Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

(2) "Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy and wagon.

(3) "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(4) "Property" shall mean any real property within the City which is not a street or highway.

Section 2. Abandonment of Vehicles. No person shall abandon any vehicle within the City and no person shall leave any vehicle at any place within the City for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

Section 3. Leaving of Wrecked, Non-Operating Vehicle on Street. No person shall leave any partially dismantled, non-operating, wrecked, or junked vehicle on any street or highway within the City.

Section 4. Disposition of Wrecked or Discarded Vehicles. No person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked, or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the City for a longer time than 24 hours; except that this Ordinance shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City.

Section 5. Impounding. The Street Commissioner, or any member of his department designated by him is hereby authorized to remove or have removed any vehicle left at any place within the City which reasonably appears to be in violation of this Ordinance or lost, stolen, or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with state law.

Section 6. Penalties. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$100.00, or be imprisoned in jail for a period not exceeding 30 days, or be fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 7. Separability Clause. The Common Council declares and intends that each section and provision of this Chapter shall be separable from and independent of any provision thereof that may be found invalid, if possible to be carried out without the latter, and that it would have so ordained, regardless of such elimination of any such provision so found invalid.

Section 8. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication as required by law.

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

ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 11, 1966.

The Clerk read the Ordinance for a second time.

Mr. Brydenthal moved that Appropriation Ordinance No. 11, 1966 be amended as follows:

Indianapolis, Indiana, March 7, 1966

Mr. President:

I move that Appropriation Ordinance No. 11, 1966 be amended by inserting after 12 Civilian Teletype Operators on Page 2

“At a salary of not more than \$4,200.00 per annum.”

MAX E. BRYDENTHAL, Councilman

The motion to Amend was seconded by Mr. Egenes and passed on the following roll call:

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykenhall, Mr. Moriarty and President Wallace.

Upon motion of Mr. Moriarty, seconded by Mr. Brydenthal, Appropriation Ordinance No. 11, 1966, As Amended, was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call, As Amended.

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykenhall, Mr. Moriarty and President Wallace.

Reverend Cummings called for a second reading of General Ordinance No. 23, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Reverend Cummings, seconded by Mr. Brydenthal, General Ordinance No. 23, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call.

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykenhall, Mr. Moriarty and President Wallace.

Reverend Cummings called for a second reading of General Ordinance No. 24, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Reverend Cummings, seconded by Mr. Brydenthal, General Ordinance No. 24, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Ordinance was read a third time by the Clerk and it passed on the following roll call:

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Mr. Brydenthal called for a second reading of General Ordinance No. 25, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Brydenthal, seconded by Mr. Hasbrook, General Ordinance No. 25, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 6, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall and President Wallace.

Noes 1, viz: Mr. Moriarty.

Mr. Brydenthal called for a second reading of General Ordinance No. 27, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Brydenthal, seconded by Mr. Kuykendall, General Ordinance No. 27, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Mr. Egenes called for a second reading of General Ordinance No. 22, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Brydenthal, General Ordinance No. 22, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Mr. Brydenthal reported that Mr. Claude Downey, whose term as a member of the Human Rights Commission had expired, found it impossible, because of other duties, to continue serving on the Commission.

Reverend Cummings moved that Mrs. Edna Johnson be appointed to the Human Rights Commission. The motion was seconded by Mr. Kuykendall and passed on voice vote.

Upon motion of Mr. Brydenthal, seconded by Mr. Kuykendall, the Council adjourned at 11:12 P.M. on unanimous voice vote.

We hereby certify the above and foregoing is a full and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 7th day of March, 1966 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

Angeline Allstatt

(SEAL)

City Clerk