

REGULAR MEETING

Monday, December 4, 1967, 7:30 P.M.

The Regular Meeting of the Common Council of the City of Indianapolis was held in the Council Chambers of the City-County Building on Monday, December 4, 1967 at 7:30 P.M.

President Wallace in the Chair.

The Clerk called the roll.

Present: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Absent: Mr. Brydenthal who was out of the City.

Upon motion of Mr. Deluse, seconded by Mr. McGill, the reading of the minutes of the previous meeting was dispensed with.

President Wallace called for reading of Communications from the Mayor and other elected officials.

COMMUNICATIONS FROM THE MAYOR  
AND OTHER ELECTED OFFICIALS

November 20, 1967

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:

SPECIAL ORDINANCE 15, 1967

An Ordinance changing the name of a certain street known as Hovey Street to Beckwith Avenue.

GENERAL ORDINANCE 89, 1967

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 16 to Section 4-813 and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE 114, 1967

An Ordinance authorizing the City of Indianapolis to make Temporary Loans in amounts totalling Four Million Eight Hundred Thousand Dollars (\$4,800,000.00) for the use of the General Fund of the City of Indianapolis at specified amounts, during the three months period beginning January 2, 1968, and ending no later than April 8, 1968, 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 empowering the Controller to issue tax anticipation warrants to evidence such loan at such time and amount and for the duration as needed, providing for the legal notice of sale, and the time when said loan shall mature; and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE 115, 1967

An Ordinance authorizing the City of Indianapolis to make temporary loans for the General Fund of the Department of Public Parks in the amounts totaling Six Hundred Seventy Two Thousand (\$672,000.00), at specified times and for specified amounts 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 notice of temporary loan sale and the time when said loan shall mature; and fixing a time when said ordinance shall take effect.

GENERAL ORDINANCE 116, 1967

An Ordinance authorizing the City of Indianapolis to make temporary loans in amounts totaling Five Hundred Ten Thousand Dollars (\$510,000.00) for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, at specified times and in specified amounts, 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 this ordinance shall take effect.

GENERAL ORDINANCE 117, 1967

An Ordinance authorizing the City of Indianapolis to make temporary loans in the amounts totaling Seven Hundred Two Thousand Dollars (\$702,000.00) for the use of the Board of Trustees of 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 this ordinance shall take effect.

Respectfully Submitted,

JOSEPH C. WALLACE  
Acting Mayor

December 4, 1967

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 pub-

lished in the Indianapolis News and the Indianapolis Commercial on Monday, November 20 and again on Monday, November 27, 1967 General Ordinance No. 110 and No. 111, 1967 and Special Ordinance No. 14, 1967.

Also caused to be published in the Indianapolis News and the Indianapolis Commercial on November 22 and November 29, 1967 a 'Notice to Taxpayers' of a public hearing on Appropriation Ordinances No. 27 and No. 28, 1967 to be held on above date.

On November 22 and November 29, 1967 also caused to be published General Ordinance No. 89, 1967 and Special Ordinance No. 15, 1967. Said publications were in the Indianapolis News and the Indianapolis Commercial on above dates.

Respectfully submitted,

ANGELINE ALLSTATT  
City Clerk

December 4, 1967

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 119, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by the addition of a subsection to Section 4-814 (2) prohibiting parking anytime except Sundays on certain streets and fixing a time when said amendment shall take effect.

Respectfully submitted,

THOMAS P. SLEET  
Councilman

December 4, 1967

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 120, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended and more particularly Title 4, Chapter 6 thereof, by the addition of a subsection to Section 4-602 designating certain streets as one-way streets and prohibiting vehicular movement in the opposite direction thereof, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

R. THOMAS MCGILL  
Councilman

December 4, 1967

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. 121, 1967 to approve the contract between the City of Indianapolis and the Capitol Improvements Board for the re-location of the Fire Station in connection with the Civic Center.

Respectfully submitted,

DANIEL P. MORIARTY  
Councilman

Upon motion of Mr. Egenes, seconded by Mr. Deluse, the Council recessed at 7:43 P.M. for Committee Hearings. At that time those present were permitted to be heard on Appropriation Ordinance No. 27 and No. 28, 1967, General Ordinances No. 109 and No. 118, 1967.

The Council reconvened at 9:00 P.M.

The Clerk read the Committee Reports.

## COMMITTEE REPORTS

Indianapolis, Ind., December 4, 1967

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. 27, 1967, entitled

TRANSFERRING \$6,500.00 from City General Fund to Fund 24—  
Printing and Advertising

and

TRANSFERRING \$700.00 from Fund 36—Office Supplies \$300.00  
Fund 72—Equipment \$400.00 to Fund 52—Rents \$700.00 in the  
Office of the City Clerk

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

DANIEL P. MORIARTY, Chairman  
THOMAS P. SLEET  
A. O. DELUSE

Indianapolis, Ind., December 4, 1967

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. 28, 1967, entitled

TRANSFERRING \$2,800.00 from Fund 11—Salaries & Wages,  
Regular \$1,500.00 and Fund 72—Equipment \$1,300.00 to Fund  
24—Printing and Advertising—\$2,800.00 in the Office of Air  
Pollution

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

DANIEL P. MORIARTY, Chairman  
THOMAS P. SLEET  
A. O. DELUSE

Indianapolis, Ind., December 4, 1967

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. 109, 1967, entitled

'AIR POLLUTION'

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

DANIEL P. MORIARTY, Chairman  
THOMAS P. SLEET  
ALBERT O. DELUSE  
R. THOMAS MCGILL

Indianapolis, Ind., December 4, 1967

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. 118, 1967, entitled

ADDITION of a subsection to Section 4-602 making certain streets as one-way . . . Elder Avenue from Washington Street to Maryland Street traffic shall move south

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

PHYLLIS W. WATERS, Chairman  
A. O. DELUSE  
HAROLD J. EGENES

President Wallace called for first reading and Introduction of New Ordinances.

## INTRODUCTION OF NEW ORDINANCES

GENERAL ORDINANCE 119, 1967

Introduced by Councilman Sleet:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by the addition of a subsection to Section 4-814 (2) prohibiting parking anytime except Sundays on certain streets and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-814 (2) of the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, be amended by the addition thereto of the following subsection, as follows:

No.	Street	Side	From	To
2	Columbia Avenue	East	19th Street	20th Street

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 6, Section 1-601, of the Municipal Code of Indianapolis, 1951, as amended.

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 Health.



GENERAL ORDINANCE 120, 1967

Introduced by Councilman McGill:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 6 thereof, by the addition of a subsection to Section 4-602 designating certain streets as one-way streets and prohibiting vehicular movement in the opposite direction thereof, providing a penalty for the violation of same, and fixing a time when said amendment shall take effect.

PE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDANA:

Section 1. That Title 4, Chapter 6, Section 4-602 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition of the following subsection as follows:

No.	Street	From	To	Direction of Travel
182	Hobart Street	Raymond St.	Southern Ave.	SOUTH

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 6, Section 1-601, 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 Works.

GENERAL ORDINANCE NO. 121, 1967

Introduced by Councilman Moriarty:

AN ORDINANCE approving, ratifying and confirming the contract entered into on the 1st day of December, 1967, by and between the City of Indianapolis, Indiana, acting by and through its Mayor,

and approved by its Board of Public Safety ,and Marion County, Indiana, acting by and through its Capital Improvement Board of Managers, for cooperative action in construction of the Indiana Convention-Exhibition Center in the matter of relocating Fire Station No. 13.

WHEREAS, heretofore, on the 1st day of December, 1967, the City of Indianapolis, Indiana, acting by and through its Mayor, and approved by its Board of Public Safety, has entered into the following contract and agreement with Marion County, Indiana, acting by and through its Capital Improvement Board of Managers, to-wit:

AGREEMENT FOR COOPERATIVE ACTION IN CONSTRUCTION  
OF THE EXHIBITION CENTER

THIS AGREEMENT, MADE THIS 1st day of December, 1967, by and between the City of Indianapolis, Indiana, an Indiana municipal corporation, hereinafter referred to as "the City" and Marion County, Indiana, by its Capital Improvement Board of Managers, hereinafter referred to as "the Board."

WITNESSETH:‘

WHEREAS, Marion County, Indiana, acting by and through its said Board is duly authorized by law to acquire certain real estate in the downtown area of the City of Indianapolis for the purpose of providing a site for the Indiana Convention-Exhibition Center; and

WHEREAS, part of said real estate is owned by the City and used by its Fire Department for Fire Station No. 13 which must be vacated and razed before construction of the Exhibition Center can begin but the same cannot be done until said fire station has been relocated and replaced by a new building; and

WHEREAS, it is in the public interest that said fire station be relocated and constructed on another part of the site of said Exhibition Center as a necessary facility thereof; and

WHEREAS, pursuant to Indiana Acts of 1967, Chapter 290, Sections 11 and 12, the City and The Board are willing to cooperate so that said Exhibition Center can be constructed without unnecessary delay and expense to either party;

NOW, THEREFORE, in consideration of the foregoing, the mutual advantages accruing to the parties, and the covenants and agreements hereinafter set forth, it is agreed as follows:

1. The Board will acquire the land and construct or cause to be constructed a fire station building at the southwest corner of South Senate Avenue and West Pearl Street in the City of Indianapolis, Marion County, Indiana.

2. Such building will be constructed in strict compliance with plans, specifications and drawings prepared by Lennox-James-Loebl Associates, architects and engineers, and heretofore approved by the Board of Public Safety of the City, which plans, specifications and drawings are made a part of this contract as if fully set out herein.

3. Such work will be carried out at the risk of and under the supervision and control of the Board as the owner, subject to acceptance by the Board of Public Safety of the City or any other person designated by the City for such purpose. The City shall have the right, at its own expense, to have an inspector upon al. such construction work.

4. As soon as said new fire station is substantially completed and suitable for occupancy, the City will vacate the premises now used for Fire Station No. 13 at the corner of Kentucky Avenue and Maryland Street in the City of Indianapolis, Marion County, Indiana, and deliver complete possession thereof to the Board.

5. As soon thereafter as the same can reasonably be done, the parties will exchange said real estate and improvements by warranty deeds free and clear of all liens and encumbrances and will make such further adjustments and agreements as may be necessary so that each party will be fairly compensated in the exchange.

6. It is understood and agreed that this contract is subject to approval by the Board of Public Safety of the City and by the Board of Commissioners of the County; and further that this contract shall not be binding and effective until the same shall have been approved by an ordinance adopted by the Common Council of the City and by an ordinance adopted by the County Council of the County.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

## CITY OF INDIANAPOLIS, INDIANA

By John J. Barton, Mayor

ATTEST: Angeline Allstatt, City Clerk

MARION COUNTY, INDIANA, BY THE CAPITAL  
IMPROVEMENT BOARD OF MANAGERS OF MARION  
COUNTY, INDIANA

By W. A. Brennan, Jr., President

ATTEST: Herbert J. Backer, Secretary

## APPROVED as to form and legality:

Michael B. Reddington, Corporation Counsel of the City of Indianapolis

Claude W. Gilman, Jr., General Counsel of the Capital Improvement  
Board of Managers of Marion CountyNOW THEREFORE, BE IT ORDAINED BY THE COMMON  
COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the foregoing contract and agreement made and entered into on the 1st day of December, 1967, by and between the City of Indianapolis, Indiana, acting by and through its Mayor, and Marion County, Indiana, acting by and through its Capital Improvement Board of Managers, be and the same is hereby in all respects approved, ratified and confirmed.

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.

## ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 27, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. McGill, Appropriation Ordinance No. 27, 1967 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 28, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Sleet, Appropriation Ordinance No. 28, 1967 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty called for a second reading of General Ordinance No. 109, 1967.

The Clerk read the Ordinance for a second time.

Mr. Moriarty presented and read an Amendment to General Ordinance No. 109, 1967 as follows:

Indianapolis, Ind., December 4, 1967

Mr. President:

I move that General Ordinance No. 109, 1967 be amended by inserting under Section 111-1 on Page 60 under Sub Section 1 a new Sub Section 2 as follows: One single family dwelling on residential premises (considered a residential lot) shall be permitted to burn refuse papers (not garbage or similar products) originating in that single dwelling between the hours of 10:00 A.M. and 4:00 P.M.

The numbered sub section 2 shall become sub section 3, sub-section 3 shall be numbered sub section 4 and sub section 4 shall be numbered sub section 5.

DANIEL P. MORIARTY, Councilman

Mr. Moriarty moved for the adoption of the Amendment, which was seconded by Mr. Deluse and the motion to amend passed on the following roll call:

Ayes 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Deluse moved General Ordinance No. 109, 1967 be Amended further as follows:

Indianapolis, Ind., December 4, 1967

Mr. President:

I move that General Ordinance No. 109, 1967 be amended by adding the following sentence to Article 9, Regulation II Section 2, Paragraph a Page 50, to-wit:

"If provision of Section 2a would permit a greater emission of particulate matter per hour than allowed by Table 1, Page 48, the provision of Section 2a does not apply."

ALBERT O. DELUSE, Councilman

Mr. McGill seconded the motion to Amend and it passed on the following roll call:

Ayes 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty moved that General Ordinance No. 109, 1967, as Amended, be ordered engrossed, read a third time and placed upon its passage.

Mr. Sleet seconded the motion.

The Clerk read General Ordinance 109, 1967, As Amended, for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Miss Waters called for a second reading of General Ordinance No. 118, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Miss Waters, seconded by Mr. Deluse, General Ordinance No. 118, 1967 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

President Wallace expressed the sympathy of the Council to Mrs. Allstatt, City Clerk, on the death of her brother Mr. Merrill Patterson.

Upon motion of Mr. Deluse, seconded by Mr. McGill, the Council adjourned at 9:10 P.M. upon unanimous voice vote.

We hereby certify that 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 4th day of December, 1967 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.

*Angeline Allstatt*

(SEAL)

City Clerk

*Joseph C. Wallace*

ATTEST:

President