

REGULAR MEETING

Monday, October 21, 1968, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis convened in the cafeteria of Shortridge High School at 7:30 P.M. on Monday, October 21, 1968.

President Hasbrook in the chair.

The Clerk called the roll:

Present: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. Moriarty, Mr. McPherson, Rev. Williams, and President Hasbrook.

Absent: Mr. Gorham.

Mr. Moriarty moved, seconded by Mr. Egenes, to dispense with the reading of the Journal of the previous meeting.

President Hasbrook called for the reading of communications from the Mayor and other City Officials.

COMMUNICATIONS FROM THE MAYOR  
AND OTHER OFFICIALS

October 17, 1968

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. Majorie H. O'Laughlin, the following General Ordinance:

GENERAL ORDINANCE NO. 37, 1968 As Amended

AN ORDINANCE to amend Title 8, Chapter 4 of the Municipal Code of Indianapolis, 1951, as amended, particularly Sections 8-406, 8-409, 8-405, 8-404 and 8-403, increasing the amounts of fees charged for certain building permits and fixing a time when the same shall take effect.

Respectfully,

RICHARD G. LUGAR  
Mayor

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

Gentlemen:

October 21, 1968

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial, Appropriation Ordinance No. 17, 1968, on October 10, 1968 and again on October 17, 1968.

Respectfully,

MARJORIE H. O'LAUGHLIN  
City Clerk

October 21, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 18, 1968, additionally appropriating and transferring the sum of \$15,000.00 to the Department of Public Safety, City Market Refrigeration, created by virtue of the 1968 Budget, General Ordinance No. 97, 1967, as amended, from previously unappropriated monies remaining in the City Market Fund, declaring an emergency and fixing a time when the same will take effect.

WILLIAM A. LEAK  
Councilman

October 21, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 41, 1968, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, and more particularly Title 3, Chapter 1, concerning the City Market, to amend Sections 3-102, 3-106, paragraphs (1), (3) and (6), and to repeal Section 3-111, declaring an emergency and fixing a time when this ordinance shall take effect.

WILLIAM A. LEAK  
Councilman

October 21, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 5, 1968, to annex certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

REV. ANDREW L. WILLIAMS  
Councilman

October 21, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 6, 1968, to annex certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

REV. ANDREW L. WILLIAMS  
Councilman

Upon motion of Mr. Leak, seconded by Mr. Moriarty the Council recessed at 7:45 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinance No. 17, 1968 and General Ordinance Nos. 39 and 40, 1968.

The Council reconvened at 8:10 P.M.

President Hasbrook called for the reading of Committee Reports by the Clerk.

## COMMITTEE REPORTS

Indianapolis, Ind., October 21, 1968

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. 17, 1968, entitled

AN ORDINANCE transferring, reappropriating, and reallocating the sum of One Hundred Fifteen Thousand Two Hundred Fifty-Three Dollars from certain designated items and funds in the Executive Department, Department of Finance, Department of Public Works and Department of Public Safety to certain designated items and funds in the same departments and in the Legal Department,

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

WILLIAM A. LEAK, Chairman  
DONALD R. McPHERSON  
HAROLD J. EGENES

Indianapolis, Ind., October 21, 1968

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. 38, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 7, Chapter 4, Sections 7-401, 7-402, 7-404, 7-405, 7-406, 7-407, 7-408, 7-409, 7-410, 7-411 and 7-412, to increase penalties for violation of these sections of the Municipal Code, to increase the fees for licensing and to redefine and revise the term billiard or pool room, 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 held for further study.

WILLIAM A. LEAK, Chairman

Indianapolis, Ind., October 21, 1968

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. 39, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 2, Chapter 2, Section 2-205, by adding a subsection (a) to authorize "Deputy Mayor" as an additional title for the administrative assistant to the Mayor, 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.

WILLIAM A. LEAK, Chairman  
DONALR R. McPHERSON  
HAROLD J. EGENES

Indianapolis, Ind., October 21, 1968

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 40, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 12, Sections 4-1204, 4-1205 and 4-1208, to allow payment of penalties on compromise of traffic violations at banking facilities located in Marion County, 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.

HAROLD J. EGENES, Chairman  
WILLIAM A. LEAK  
DONALD R. McPHERSON

Indianapolis, Ind., October 21, 1968

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Special Resolution No. 15, 1968, entitled

A RESOLUTION providing for the sesquicentennial celebration of the founding of the City of Indianapolis.

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

HAROLD J. EGENES, Chairman  
DONALD R. McPHERSON  
WILLIAM A. LEAK

President Hasbrook called for the introduction of new ordinances.

## INTRODUCTION OF NEW ORDINANCES

## APPROPRIATION ORDINANCE 18, 1968

Introduced by Councilman Leak:

AN ORDINANCE, additionally appropriating, and transferring the sum of \$15,000.00 to the Department of Public Safety, City Market Refrigeration, created by virtue of the 1968 Budget, General Ordinance 97, 1967, as amended, from previously unappropriated monies remaining in the City Market Fund, declaring an emergency, and fixing a time when the same shall take effect.

WHEREAS, the City Market Fund consists of monies dedicated to City Market purposes; and

WHEREAS, the City Market is in need of repairs; and

WHEREAS, there are sufficient unexpended, unencumbered and unappropriated monies remaining in such City Market Fund to cover the cost of such repairs.

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

Section 1. That certain unexpended, unencumbered and unappropriated funds in the City Market Fund be appropriated to the Department of Public Safety, City Market, Refrigerating in the following amount, to wit:

*Increases*

DEPARTMENT OF PUBLIC SAFETY  
CITY MARKET REFRIGERATION

City Market

2. SERVICES—CONTRACTUAL

25. Repairs -----\$15,000



Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication as required by law, and compliance with all laws pertaining thereto.

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

GENERAL ORDINANCE NO. 41, 1968

Introduced by Councilman Leak:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, and more particularly Title 3, Chapter 1, concerning the City Market, to amend Sections 3-102, 3-106, paragraphs (1), (3) and (6), and to repeal Section 3-111, declaring an emergency and fixing a time when this ordinance shall take effect.

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

Section 1. That Title 3, Chapter 1, Section 3-102 of the Municipal Code of Indianapolis, 1951, be amended to read as follows:

"3-102. Location and scope of city market—The south half of square forty-three in the City of Indianapolis is hereby established and continued and is declared to be and shall be known as a public 'city market' under the control of the department of public safety and for the sale of provisions, meats, fish, game, poultry, eggs, milk, cheese, butter, honey, flowers, spices, vegetables, fruits, crafts and for such other purposes and uses as may be designated by such board: Provided, however, that sections may be designated for restaurants, lunch counters, vending machines, either within the open area or in enclosed storerooms, and also that parking areas may be set aside as now or hereafter authorized by law, or by the board of public safety."

Section 2. That Title 3, Chapter 1, Section 3-106 of the Municipal Code of Indianapolis, 1951, paragraphs (1), (3) and (6) be amended to read as follows:

"3-106. **Stand and store leases.**—(1) **Period of Lease:** Not later than the first day of March each year, the marketmaster shall submit to the board of public safety, for its approval, an appraisal of the rental value of each stand and store in the city market, such rental to be determined, as near as may be, by the location and size thereof, but such value shall not be deemed to be enhanced by the character of trade its occupants may have established by his personal merit or skill. Upon approving such appraisal, the board may enter into contracts or leases with owners of or applicants for stands and store-rooms on the basis of such appraisal, for any period up to four years, rent payments to be made at such times as fixed by the board, and to be paid in advance."

"(3) **Authority to reject applicants:** The board of public safety shall have the authority to reject applicants for stands or stores by the following class of persons, or to revoke contracts or leases therefor, to-wit:

"(e) Persons who are habitually intemperate or addicted to the use of habit-forming drugs."

"(6) **Repairs:** The city shall have the right to remodel, alter, and repair said market place, or any parts thereof, or to set aside any parts for their uses, at any and all times during the term of any lease, and the marketer agrees, if so requested, to the suspension of such lease, during such remodelling, repairing or change, and agrees to relinquish all or any part of such leased stand or stands or store as may be required during such time: Provided, that the city shall refund to said marketer the unearned amount or proportion of rental paid to the city in advance for the period of such total or partial suspension; and provided, further, that in the event that any such remodelling or change is of such nature that it requires the complete vacation of said stand or store, then the city shall offer the affected marketer the use of any untenanted stand or store in lieu of the affected premises and at the appraised value of the leased or substitute premises, whichever is less, however if the marketer shall not agree to substitution, the lease shall terminate."

Section 3. That Title 3, Chapter 1, Section 3-111 of the Municipal Code of Indianapolis, 1951, be repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, compliance with all laws pertaining thereto.

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

SPECIAL ORDINANCE NO. 5, 1968

Introduced by Councilman Williams:

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 part of the territory constituting the City of Indianapolis, Indiana. Said territory being a part of the Northwest Quarter of Section 24, Township 15 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Lots Numbered 106 and 107 LeGore Crest, as recorded in Plat Book 21, pages 164 and 165, in the office of the Recorder of Marion County, Indiana.

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.

SPECIAL ORDINANCE NO. 6, 1968

Introduced by Councilman Williams:

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 part of the territory constituting the City of Indianapolis, Indiana. Said territory being a part of the Southeast Quarter of Section 24, Township 16 North, Range 4 East in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the East line of said half/quarter section distant North 2373.28 feet of the Southeast corner thereof, said point being the Northeast corner of "PLEASANT HILLS" ADDITION, 3rd Section; thence North, in and along said East line 80.95 feet to a point distant South 208 feet, 8 inches of the Northeast corner of said half/quarter section; thence West, parallel to the North line of said half/quarter section 234 feet, 9 inches; thence North, parallel to said East line 208 feet, 8 inches to a point in said North line; thence West, in and along said North line 1035.81 feet; thence South, parallel to the West line of said half/quarter section 297.68 feet to a point in the North line of said PLEASANT HILLS ADDITION; thence East, in and along said North line of PLEASANT HILLS ADDITION 1270.94 feet to the place of beginning.

Containing in all, 7.44 acres, more or less.

Subject to all Legal Rights-of-way or easements of Record.

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. Leak called for the second reading of Appropriation Ordinance No. 17, 1968.

The Clerk read the Ordinance for the second time.

Mr. Leak moved, seconded by Rev. Williams that Appropriation Ordinance No. 17, 1968, be engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 7, viz: Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. Moriarty, Mr. McPherson, Rev. Williams and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Mr. Leak called for second reading of General Ordinance No. 39, 1968.

The Clerk read the Ordinance for the second time.

Mr. Leak moved, seconded by Mr. McPherson that General Ordinance No. 39, 1968, be engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 5, viz: Mr. Egenes, Mr. Leak, Mr. McPherson, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Broderick, Mr. Forestal, and Mr. Moriarty.

Mr. Egenes called for second reading of General Ordinance No. 40, 1968.

The Clerk read the Ordinance for the second time.

Mr. Egenes moved, seconded by Rev. Williams that General Ordinance No. 40, 1968, be engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 6, viz: Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Broderick and Mr. Moriarty.

Mr. Egenes moved, seconded by Rev. Williams that Special Resolution No. 15, 1968, be adopted by the Council.

## NEW BUSINESS

Interested persons were allowed to speak on problems concerning their area.

By unanimous vote of the Council, the November 4th meeting of the Common Council was postponed until November 6, 1968, because of the General Election.

On Motion of Mr. Moriarty, seconded by Rev. Williams, the Council adjourned at 9:40 P.M. by unanimous vote.


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 21st day of October, 1968, 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.



President

ATTEST:



(SEAL)

City Clerk