

REGULAR MEETING

Monday, November 18, 1968, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis convened in the Cafeteria of Northwest High School at 7:30 P.M. on Monday, November 18, 1968.

President Hasbrook in the chair.

The Clerk called the roll:

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

Absent: Mr. Moriarty.

Mr. Egenes moved, seconded by Rev. Williams, 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 CITY OFFICIALS

November 7, 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. Marjorie H. O'Laughlin, the following City Ordinances:

APPROPRIATION ORDINANCE NO. 18, 1968, as amended

AN ORDINANCE additionally appropriating and transferring the sum of \$15,000.00 to the Department of Public Safety, City Market, 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.

GENERAL ORDINANCE NO. 41, 1968

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.

Respectfully

RICHARD G. LUGAR
Mayor

November 14, 1968

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

Gentlemen:

Transmitted herewith are 28 copies of General Ordinance No. 42, 1968 authorizing the City of Indianapolis to make temporary loans in the total amount of \$8,454,000.00. This money will be allocated as follows:

\$6,000,000.00 for the use of the General Funds of the City of Indianapolis.

\$1,200,000.00 for the General Fund of Public Parks

\$510,000.00 for the use of the Board of Trustees of the Indianapolis Police Pension Fund, and

\$744,000.00 for the use of the Board of Trustees of the Indianapolis Firemen's Pension Fund.

WILLIAM A. LEAK
Councilman

November 18, 1968

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

Gentlemen:

Transmitted herewith are 28 copies of Resolution No. 16, 1968, Approving and Providing For the Execution of Second Amendatory Contract Amending Contract No. Ind. E-1 (G) By and Between the City of Indianapolis, and The United States of America.

WILLIAM A. LEAK
Councilman

Upon motion of Mr. Leak, seconded by Mr. Egenes the Council recessed at 8:00 P.M. for Committee Hearings.

The Council reconvened at 8:10 P.M.

President Hasbrook called for the introduction of new ordinances.

INTRODUCTION OF NEW ORDINANCES

GENERAL ORDINANCE NO. 42, 1968

Introduced by Councilman Leak:

AN ORDINANCE authorizing the City of Indianapolis to make temporary loans for the use of the General Fund, Park General Fund, Police Pension Fund and Firemen's Pension Fund of the City of Indianapolis during the period January 1, 1969, to June 30, 1969, in anticipation of current taxes of the City of Indianapolis levied in the year 1968 and collectible in the year 1969; authorizing the issuance of tax anticipation time warrants to evidence such loans, fixing the maturity date thereof and maximum interest rate thereon; pledging and appropriating the taxes to be received in said funds to the payment of said tax anticipation time warrants including the interest thereon; and fixing the time when this ordinance shall take effect.

WHEREAS, the City Controller has represented and the Common Council now finds that there will be insufficient funds in the General Fund of the City to meet the current expenses of the City payable from said fund prior to the June 1969 distribution of taxes levied for said fund; and

WHEREAS, the June 1969 distribution of taxes collected for said General Fund will amount to more than Six Million Dollars (\$6,000,000) and the interest cost of making a temporary loan for said General Fund; and

WHEREAS, the Board of Park Commissioners of the City of Indianapolis has represented and the Council now finds that there will be insufficient funds to the Park General Fund of the City to meet the current expenses of the Department of Public Parks of the City payable from said fund prior to the June 1969 distribution of taxes levied for said fund; and

WHEREAS, the June 1969 distribution of taxes collected for said Park General Fund will amount to more than One Million Two Hundred Thousand Dollars (\$1,200,000) and the interest cost of making a temporary loan for said Park General Fund; and

WHEREAS, the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis has represented and the Council now finds that there will be insufficient funds in the Police Pension Fund of the City to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said fund prior to the June 1969 distribution of taxes levied for said fund; and

WHEREAS, the June 1969 distribution of taxes collected for said Police Pension Fund will amount to more than Five Hundred Ten Thousand Dollars (\$510,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, the Board of Trustees of the Indianapolis Firemen's Pension Fund of the City of Indianapolis has represented and the Council now finds that there will be insufficient funds in the Firemen's Pension Fund of the City to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said fund prior to the June 1969 distribution of taxes levied for said fund; and

WHEREAS, the June 1969 distribution of taxes collected for said Firemen's Pension Fund will amount to more than Seven Hundred Forty-four Thousand Dollars (\$741,000) and the interest cost of making a temporary loan for said Firemen's Pension Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said funds in anticipation of current revenues for said funds actually levied and in course of collection for the year 1969; now therefore,

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

Section 1. That the City of Indianapolis make a temporary loan for the use and benefit of the General Fund of said City in the amount of Six Million Dollars (\$6,000,000) in anticipation of current tax revenues actually levied and in course of collection for said fund for the year 1969, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate not to exceed four per

cent (4%) per annum, the exact rate of interest to be determined by competitive bidding at an advertised public sale as hereinafter provided, and said warrants to be substantially in the form hereinafter provided. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 30, 1969; provided, however, that said warrants may be prepaid on and after May 1, 1969, at the principal amount of the loan evidenced thereby together with the accrued interest from the date or dates of the warrants to the date or dates of prepayment. Said warrants including interest shall be payable from the General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said General Fund from the June 1969 distribution of taxes for said General Fund, viz. Six Million Dollars (\$6,000,000), to the City Controller's 1969 Budget Fund No. 64—Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the City Controller's 1969 Budget Fund No. 61—Interest (Temporary Loans) the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity or prepayment at the interest rate bid by the successful bidder or bidders of said warrants.

Sec. 2. That the City of Indianapolis make a temporary loan for the use and benefit of the Park General Fund of said City in the amount of One Million Two Hundred Thousand Dollars (\$1,200,000) in anticipation of current tax revenues actually levied and in course of collection for said fund for the year 1969, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate not to exceed four per cent (4%) per annum, the exact rate of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form hereinafter provided. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 30, 1969; provided, however, that said warrants may be prepaid on and after May 1, 1969, at the principal amount of the loan evidenced thereby together with the accrued interest from the date or dates of the warrants to the date or dates of prepayment. Said warrants including interest shall be payable

from the Park General Fund and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park General Fund from the June 1969 distribution of taxes for said Park General Fund, viz. One Million Two Hundred Thousand Dollars (\$1,200,000), to the Park General Fund Budget Fund No. 65—Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the Park General Fund 1969 Budget Fund No. 61—Interest (Temporary Loans) the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity or prepayment at the interest rate bid by the successful bidder or bidders for said warrants.

Sec. 3. That the City of Indianapolis make a temporary loan for the use and benefit of the Police Pension Fund of said City in the amount of Five Hundred Ten Thousand Dollars (\$510,000) in anticipation of current tax revenues actually levied and in course of collection for said fund for the year 1969, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate not to exceed four per cent (4%) per annum, the exact rate of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form hereinafter provided. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 30, 1969; provided, however, that said warrants may be prepaid on and after May 1, 1969, at the principal amount of the loan evidenced thereby together with the accrued interest from the date or dates of the warrants to the date or dates of prepayment. Said warrants including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the June 1969 distribution of taxes for said Police Pension Fund, viz. Five Hundred Ten Thousand Dollars (\$510,000), to the Police Pension Fund Budget Fund No. 64—payment of temporary loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the Police Pension Fund 1969 budget Fund No. 61 Interest (Temporary Loans) the amount of interest on said principal computed from the date or dates of said warrants to the date of

maturity or prepayment at the interest rate bid by the successful bidder or bidders for said warrants.

Sec. 4. That the City of Indianapolis make a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the amount of Seven Hundred Forty-four Thousand Dollars (\$744,000) in anticipation of current tax revenues actually levied and in course of collection for said fund for the year 1969, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate not to exceed four per cent (4%) per annum, the exact rate of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form hereinafter provided. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 30, 1969; provided, however, that said warrants may be prepaid on and after May 1, 1969, at the principal amount of the loan evidenced thereby together with the accrued interest from the date or dates of the warrants to the date or dates of prepayment. Said warrants including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the June 1969 distribution of taxes for said Firemen's Pension Fund, viz. Seven Hundred Forty-four Thousand Dollars (\$744,000), to the Firemen's Pension Fund Budget No. 64—Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the Firemen's Pension Fund 1969 Budget Fund No. 61—Interest (Temporary Loans) the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity or prepayment at the interest rate bid by the successful bidder or bidders for said warrants.

Sec. 5. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the Mayor of said City, countersigned by the City Controller of said City, the corporate seal of said City to be affixed thereto and attested by the City Clerk. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis.

Sec. 6. Said tax anticipation time warrants shall be issued in

substantially the following form (all blanks, including the appropriate fund, amounts, dates, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No.----- Principal & Interest \$-----

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT

(-----FUND)

On the-----day of-----, 19----, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis, the sum of----- including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year 19----, and payable in the year 19----, which said taxes are now in course of collection for the----- Fund of the City of Indianapolis, with which to pay general current, operating expenses of----- This warrant may be prepaid on and after-----, 19----, and prior to maturity at the principal amount hereof plus accrued interest to the date of prepayment.

This Tax Anticipation Time Warrant is one of a series of warrants aggregating a sum of-----, exclusive of interest added thereto to maturity, evidencing a temporary loan in anticipation of the taxes levied and in course of collection for the----- Fund of said City.

Said temporary loan was authorized by an ordinance duly adopted by the Common Council of the City of Indianapolis, at a meeting thereof duly and legally convened and held on the----- day of ----- 19----, for the purpose of providing funds for the----- Fund of said City of Indianapolis, in compliance with 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 and supplemental thereto, including particularly-----

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the-----
-----Fund of said City for the year 19____,
payable in the year 19____, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to the authorization, preparation, complete execution, and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused this warrant to be signed in its corporate name by its Mayor and attested by the Clerk of the City of Indianapolis, the corporate seal of said City hereunto affixed, and countersigned by the Controller of the City of Indianapolis.

Dated this-----day of-----, 19-----.

CITY OF INDIANAPOLIS

By: -----
Mayor of the City of Indianapolis

Attest:

Clerk of the City of Indianapolis
Countersigned:

Controller of the City of Indianapolis

Sec. 7. The City Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, City Controller, and City Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner and substantially the form hereinbefore provided. The City Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the City Controller shall cause to be published a notice of sale once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for

said warrants shall be sealed and be presented to the City Controller at his office, and all bids shall name a separate rate of interest for each issue of warrants of each fund. The warrants of each fund shall be awarded to the bidder therefor submitting the lowest interest rate. In the event two bidders submit the same interest rate, the warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants of the particular issue. No bid for less than par shall be considered, and the City Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchasers thereof upon receipt from such purchasers of the agreed purchase price. In the discretion of the City Controller, the warrants of each issue may be delivered as a single parcel at one time or in parcels from time to time, pursuant to any agreement or understanding with respect to said delivery by and between the Controller and the purchaser or purchasers of the warrants.

Sec. 8. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

SPECIAL RESOLUTION NO. 16, 1968

Introduced by Councilman Leak:

APPROVING AND PROVIDING FOR THE EXECUTION OF SECOND AMENDATORY CONTRACT AMENDING CONTRACT NO. E-1(G) BY AND BETWEEN The City of Indianapolis, Indiana and the UNITED STATES OF AMERICA.

WHEREAS, The City of Indianapolis, Indiana, and the United States of America are parties to a Code Enforcement Grant Contract for the Code Enforcement Program under Section 117 of the Housing Act of 1949, as amended particularly Contract No. Ind. E-1(G) for Program No. Ind. E-1; and

WHEREAS, the time has come for entry into a second amenda-

tory contract under which the United States government would make grant of more federal funds to aid in financing the cost of certain code enforcement work of the referenced program; and

WHEREAS, the Housing Act. of 1949, as last amended, has additional requirements against discrimination not appearing in previous contract with the City of Indianapolis, Indiana,

BE IT RESOLVED BY The Common Council of the City of Indianapolis, Indiana, AS FOLLOWS:

SECTION 1. The pending proposed Second Amendatory Contract attached hereto, (herein called the "Amendatory Contract") amending that certain Contract NO. E-1(G), dated the 6th day of December, 1966, by and between the City of Indianapolis, Indiana, (herein called the "Local Public Agency") and the United States of America (herein called the "Government"), is hereby in all respects approved.

SECTION 2. The Mayor of the City of Indianapolis is hereby authorized and directed to execute said Amendatory Contract in two counterparts on behalf of the Local Public Agency, and the Clerk of the City of Indianapolis is hereby authorized and directed to impress and attest the official seal of the Local Public Agency on each such counterpart, and to forward such counterparts to the Department of Housing and Urban Development, for execution on behalf of the Government, together with such other documents relative to the approval and execution of such counterparts as may be required by the Government.

SECTION 3. This Resolution shall take effect immediately.

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SECOND AMENDATORY CONTRACT
AMENDING
GRANT CONTRACT FOR CODE ENFORCEMENT GRANT
NO. IND. E-1(G)

Program No. Ind. E-1

THIS SECOND AMENDATORY CONTRACT, made and entered

into on the date herein-below specified, by and between City of Indianapolis, Indiana (herein called the "Grantee") and the United States of America (herein called the "Government"), WITNESSETH:

WHEREAS the parties hereto entered into that certain Code Enforcement Grant Contract, No. Ind. E-1(C), dated the 6th day of December, 1966, as heretofore amended (herein called the "Existing Contract"), and it now appears that such Existing Contract should be further amended:

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations contained herein and in the Existing Contract, the parties hereto do agree as follows:

The Existing Contract is hereby further amended:

- (a) By deleting from Section 5 of Part I thereof the amount of \$575,636.00 and inserting in lieu thereof the amount of \$912,154.00.
- (b) By deleting from Section 8 of Part I thereof the amount of \$8,443.00 and inserting in lieu thereof the amount of \$9,952.00.
- (c) Section 107(a) of Part II relating to activities and contracts not subject to Executive Order No. 11246 is hereby changed to substitute the words "race, color, religion, sex, or national origin" wherever the words "race, creed, color, or national origin" appear.
- (d) Section 107(b) of Part II relating to contracts subject to Executive Order No. 11246 is hereby changed to require the Local Public Agency to substitute in any contract for construction or modification thereof executed on or after October 13, 1968, the words "race, color, religion, sex, or national origin" wherever the words "race, creed, color, or national origin" are now required to be used.

IN WITNESS WHEREOF, the Grantee has caused this Amendatory Contract to be duly executed in its behalf and its seal to be hereunto affixed and attested; and, thereafter, the Government has caused the same to be duly executed in its behalf this_____day of_____, 1968.

(SEAL)

CITY OF INDIANAPOLIS, INDIANA

By -----
(Signature)

(Type or Print Name)

(Title)

ATTEST:

(Signature)

(Type or Print Name)

(Title)

UNITED STATES OF AMERICA
Secretary of Housing and Urban Development

By -----
Acting Assistant Regional Administrator
for Renewal Assistance

Which was read for the first time and referred to the
Committee of the Whole.

ORDINANCES ON SECOND READING

Mr. Leak called for a suspension of the rules to con-
sider Special Resolution No. 18, 1968, seconded by Mr.
Broderick. The motion was passed by unanimous vote
of those present.

Mr. Leak moved, seconded by Mr. Egenes, that Special

Resolution No. 16, 1968, be engrossed, read a third time and placed upon its passage.

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

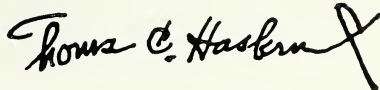
Ayes 7, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Gorham.

On motion of Mr. Leak, seconded by Mr. Egenes, the Council adjourned at 8:30 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 18th day of November, 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.



ATTEST:

President



(SEAL)

City Clerk