

REGULAR MEETING

Monday, May 18, 1970, 6:30 P.M.

A Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 6:30 P.M. on Monday, May 18, 1970.

President Hasbrook in the Chair .

The Clerk called the roll:

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Moriarty moved, seconded by Mr. Gorham, 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-County Officials.

COMMUNICATIONS FROM THE MAYOR AND
OTHER CITY-COUNTY OFFICIALS

May 13, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF INDIANAPOLIS-MARION COUNTY,
INDIANA:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 9, 1970, transferring \$11,-909,752.60 from unexpended funds of the City Department of Transportation to Other Contractual.

GENERAL ORDINANCE NO. 6, 1970, to amend the Code, Section 4-1304, **Trucks Prohibited from Certain Roads.**

GENERAL ORDINANCE NO. 56, 1970, AS AMENDED, to amend Title 8 of the Code by adding a new Chapter 16, establishing building rules and regulations for one and two-family residences.

GENERAL ORDINANCE NO. 70, 1970, to amend Title 10, Chapter 4 of the Code by adding a new Section 10-414 to govern and prevent the use of telephones to harass any person and providing penalties.

GENERAL ORDINANCE NO. 71, 1970, AS AMENDED, to amend the Code by addition of Title 4, Chapter 8, of a new Section 4-805a, prohibiting parking in certain areas in the vicinity of business, commercial and multi-family buildings.

GENERAL ORDINANCE NO. 83, 1970, AS AMENDED, to amend the Code Title 4, Chapter 10, **Zones for Passengers, Materials, Buses, Mail Boxes and Taxicabs,** by adding a new Section 1006, and providing penalties.

GENERAL ORDINANCE NO. 85, 1970, to amend the Code Title 4, Chapter 7, Section 709, **Vehicles Must Stop Before Entering Preferential Streets.**

GENERAL ORDINANCE NO. 86, 1970, to amend the Code, Title 4, Chapter 7, Section 4-709, **Vehicles Must Stop Before Entering Preferential Streets.**

GENERAL ORDINANCE NO. 87, 1970, to amend Section 2-102, to provide for City-County Council meetings on the first and third Mondays in each month, adding Section 2-203 thru Section 2-205, creating the position of Manpower Commission and

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amending Sections 2-449(b) and (c), Sections 2-459 and 2-452(2) correcting drafting errors in said Code.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

May 18, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF INDIANAPOLIS, MARION COUN-
TY, INDIANA:

Gentlemen:

Transmitted herewith are 28 copies of the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 10, 1970 transferring \$64,346.67 to Marion County Government and its institutions.

DWIGHT L. COTTINGHAM

APPROPRIATION ORDINANCE NO. 11, 1970, transferring \$5,000,000.00 to the Marion County Welfare Department.

DWIGHT L. COTTINGHAM

GENERAL ORDINANCE NO. 97, 1970, authorizing the City to make a temporary loan for the use of the Park General Fund during the period July 1, 1970 to December 31, 1970 in the anticipation of current taxes levied in the year 1969 and collectible in the year 1970.

REV. ANDREW L. WILLIAMS

GENERAL ORDINANCE NO. 96, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 4-812 thereof, **Parking Prohibited at all Times.**

WILLIAM K. BYRUM

President Hasbrook called for the Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 10, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of Sixty-four Thousand Three Hundred Forty-six Dollars and Sixty-seven Cents (\$64,346.67) from certain designated appropriations for the expenses of Marion County government and its institutions and from the unexpended, unencumbered and unappropriated balance of the County General Fund to other certain designated funds of Marion County government and its institutions as created by virtue of the Budget for 1970, City-County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), as amended, 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 1970 Budget appropriations thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for Marion County government and its institutions, and

WHEREAS, there are unexpended funds appropriated for certain departments and offices of Marion County which may be transferred without detriment, and

WHEREAS, there are available unexpended, unencumbered and unappropriated monies in the County General Fund in sufficient amount to make up the deficit between transfer funds and emergency needs,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the sum of Sixty-four Thousand Three Hundred

Forty-six Dollars and Sixty-seven Cents (\$64,346.67) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE and from the unexpended, unappropriated County General Fund, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

INCREASE	TAX LEVY
County Clerk	
100 Services Personal	\$ 9,187.50
600 Properties	2,863.55
County Coroner	
200 All other operating expenses	800.00
County Jail	
200 All other operating expenses	40,000.00
600 Properties	1,486.00
Juvenile Court	
100 Services Personal	8,509.62
600 Properties	1,500.00
Total Increase	\$64,346.67

REDUCE	TAX LEVY
County Sheriff	
200 All other operating expenses	\$11,486.00
Reduce unappropriated County General Fund	52,860.67
Total Reduction	\$64,346.67

SECTION 2. This ordinance shall be in full force and effect from and after its passage, and publication as required by law.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 11, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring and appropriating the sum of Five Million Dollars (\$5,000,000.00) from the unexpended, unencumbered and unappropriated balance of the County Welfare Fund to other certain designated purposes of the Marion County Welfare Department as created by virtue of the Budget for 1970, City County Ordinance No. 3, 1969 (County Ordinance No. 12, 1969), as amended, 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 1970 Budget appropriations thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for Marion County government and its institutions, and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the County Welfare Fund in sufficient amount to make up the deficit between transfer funds and emergency needs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the sum of Five Million Dollars (\$5,000,000.00) be and the same is hereby transferred from the unexpended, unappropriated County Welfare Fund, and the same is hereby appropriated to the purposes shown below under the heading INCREASE as follows, to-wit:

REDUCE	TAX LEVY
Reduce unappropriated County Welfare Fund -----	\$5,000,000.00
Total Reduction -----	\$5,000,000.00
INCREASE	TAX LEVY
Marion County Department of Public Welfare	
400 Current charges -----	\$5,000,000.00
Total Increases -----	\$5,000,000.00

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, and publication as required by law.

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

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, Parking Prohibited at all times, providing penalties, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That Title 4, Chapter 8, Section 4-812 thereof, Parking Prohibited at all Times, be, and the same is hereby amended by the addition of the following:

Street	Side	From	To
Delaware Street	West	Ohio Street	New York Street
Ohio Street	North	Delaware Street	Pennsylvania Street
New York Street	South	Delaware Street	Pennsylvania Street
Pennsylvania Street	East	Ohio Street	New York Street

Section 2. This amendment shall be subject to the penalties as provided in Title 1, 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 Transportation.

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1970

Introduced by Councilman Williams:

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan for the use of the Park General Fund during the period July 1, 1970, to December 31, 1970, in anticipation of current taxes levied in the year 1969 and collectible in the year 1970; authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said Fund to the payment of said tax anticipation time warrants including the interest thereon; ratifying, approving and confirming the proceedings had and action taken by the Special Service District Council of the Police Special Service District in authorizing the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account and the Police Pension Fund; also ratifying, approving and confirming the proceedings had and action taken by the Special Service District Council of the Fire Special Service District in authorizing the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Fire Force Account and the Firemen's Pension Fund; approving a temporary loan and the issuance of tax anticipation time warrants to evidence said loan for the Sanitary Maintenance and General Expense Fund; and fixing the time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park General Fund to meet the current expense of the Department of Public Parks payable from said Fund prior to the December 1970 distribution of taxes levied for said Fund; and

WHEREAS, the December 1970 distribution of taxes to be collected for said Park General Fund will amount to more than One Million Two Hundred Thousand Dollars (\$1,200,000.00) and the interest cost of making a temporary loan for said Park General Fund; and

WHEREAS, the Special Service District Council of the Police Special Service District has authorized the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account in the amount of Three Million Nine Hundred Thousand Dollars (\$3,900,000.00), payable from the December 1970 distribution of taxes levied for said account, and the Police Pension Fund in the amount of Five Hundred Forty Thousand Dollars (\$540,000.00),

payable from the December 1970 distribution of taxes levied for said Fund; and

WHEREAS, the Special Service District Council of the Fire Special Service District has authorized the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Fire Force Account in the amount of Three Million Dollars (\$3,000,000.00), payable from the December 1970 distribution of taxes levied for said account, and the Firemen's Pension Fund in the amount of Nine Hundred Thousand Dollars (\$900,000.00), payable from the December 1970 distribution of taxes levied for said Fund; and

WHEREAS, the Board of Public Works of the City of Indianapolis has authorized the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Maintenance and General Expense Fund in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000), payable from the December 1970 distribution of taxes levied for said Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Funds and Accounts in anticipation of current revenues for said Funds and Accounts actually levied and in course of collection for the year 1970.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. 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 1970, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed the maximum rate provided by law, the exact rate or rates 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 December 31, 1970; provided, however, that said warrants may be prepaid on and after November 1, 1970, 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 December 1970 distribution of taxes for said Park General Fund, viz. One Million Two Hundred Thousand Dollars (\$1,200,000), to the Park General Fund 1970 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 1970 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 or rates bid by the successful bidder or bidders for said warrants.

Section 2. 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 Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis.

Section 3. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, dates, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof:

No.----- Principal and Interest \$-----

CITY OF INDIANAPOLIS
 TAX ANTICIPATION TIME WARRANT
 PARK GENERAL 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 Park General 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 Park General Fund of said City.

Said temporary loan was authorized by an ordinance duly adopted by the _____ of the City of Indianapolis, at (a) meeting(s) thereof duly and legally convened and held on the _____ day of _____, 19____, for the purpose of providing funds for the Park General 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 Park General 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 Warrants.

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

Section 4. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller, and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner and substantially the form hereinbefore provided. The 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 shall be presented to the Controller at his office, and all bids shall name the rate of interest for said warrants, or portion thereof bid for. Said warrants, or portion thereof bid for, shall be awarded to the bidder or bidders therefor submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants, such 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. No bid for less than par shall be considered, and the 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 purchaser or purchasers thereof upon receipt from such purchaser or purchasers of the agreed purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser or purchasers of the warrants.

Section 5. The proceedings had and action taken by the Special

Service District Council of the Police Special Service District in authorizing the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account in the amount of Three Million Nine Hundred Thousand Dollars (\$3,900,000), payable from the December 1970 distribution of taxes levied for said Account, and the Police Pension Fund in the amount of Five Hundred Forty Thousand Dollars (\$540,000), payable from the December 1970 distribution of taxes levied for said Fund, are hereby ratified, approved and confirmed, and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

Section 6. The proceedings had and action taken by the Special Service District Council of the Fire Special Service District in authorizing the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Fire Force Account in the amount of Three Million Dollars (\$3,000,000), payable from the December 1970 distribution of taxes levied for said Account, and the Firemen's Pension Fund in the Amount of Nine Hundred Thousand Dollars (\$900,000), payable from the December 1970 distribution of taxes levied for said Fund, are hereby ratified, approved and confirmed, and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

Section 7. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Maintenance and General Expense Fund in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000), payable from the December 1970 distribution of taxes levied for said Fund, are hereby ratified, approved and confirmed, and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

Section 8. This ordinance shall be in full force and effect from and after its passage and compliance with all laws pertaining thereto.

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

ORDINANCES ON SECOND READING

President Hasbrook relinquished the Chair to Mr. SerVaas.

Mr. Hasbrook reported that the Committee on Rules had met on the mandate of the Magistrate Court Judges and recommended passage of Appropriation Ordinance No. 12, 1970.

Mr. Hasbrook called for second reading of Appropriation Ordinance No. 12, 1970.

The Clerk read the Ordinance for the second time.

Mr. Leak moved, seconded by Mr. Gorham to table Appropriation Ordinance No. 12, 1970.

The motion to table Appropriation Ordinance No. 12, 1970 failed on the following roll call vote:

Ayes 3, viz.: Mr. Boyd, Mr. Gorham, Mr. Leak.

Noes 11, viz.: Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

After discussion and on motion of President Hasbrook, seconded by Mr. Egenes, Appropriation Ordinance No. 12, 1970, passed on the following roll call vote:

Ayes 11, viz.: Mr. Broderick, Mr. Brown, Mr. Byrum,

Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz.: Mr. Boyd, Mr. Gorham, and Mr. Leak.

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage of General Ordinance Nos. 88 thru 93, 1970.

Mr. Egenes called for a second reading of General Ordinance No. 81, 1970.

The Clerk read the Ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, to amend General Ordinance No. 81, 1970, as follows:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that General Ordinance No. 81, 1970 be amended by striking out all words following the title and inserting in lieu thereof the following: The words following the title as submitted in the attached amended form.

HAROLD J. EGENES, Councilman

The motion to amend passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. Byrum, to further amend General Ordinance No. 81, 1970, as follows:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that General Ordinance No. 81, As Amended, 1970, be amended by striking out the following portions of Chapter 16, Fees and Permits, 8-1602 (1) (a) 1 . . . \$30; 2 . . . 2 cents; (b) 1 . . . 1¾ cents; 2 . . . 2 cents; 3 . . . 2¼ cents. Also 8-1203 "A building containing less than FIFTY (50) Sq. Ft." . . . and inserting in lieu thereof the following: 8-1602 (1) (a) 1 . . . \$25; 2 . . . 1½ cents; (b) 1 . . . 1½ cents; 2 . . . 1½ cents; 3 . . . 1¾ cents. (5) after "permits" add (building, plumbing, heating and electrical) 8-1203 "A building containing less than Five Hundred (500) sq. ft." . . .

HAROLD J. EGENES, Councilman

The motion to further amend passed by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Egenes, to spread the letters and names in the journal from the Building Council, who contributed their efforts in the drafting of this ordinance.

May 8, 1970

Mr. David O. Meeker, AIA
 Director
 Metropolitan Development Commission
 City of Indianapolis
 City-County Building
 Indianapolis, Indiana 46204

Dear Dave:

I have had the opportunity to review in some detail the proposed Title 8 of the Municipal Ordinance presented at the May 7th meeting of the Metropolitan Development Commission. With the exception of a few minor corrections which were relayed to your office today by telephone, I am pleased to offer the endorsement and support of the architectural profession to all portions of the document which are within our areas of competency.

As I noted at yesterday's meeting, we would have preferred that the apartment fire safety provisions contained in the recent Ad-

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ministrative Building Council directive be specifically referred to in Chapter 2, but so long as that clarification by ABC remains in full force and effect, we are willing to accept this as a legitimate compromise without endangering public safety. However, should that clarification be repealed or otherwise negated, then we would feel that our responsibility to the public would mandate our initiation of corrective action through the Metropolitan Development Commission.

In offering this endorsement, I am certain that I speak for those architects who worked on the Task Force, and I would also speak for them in conveying to you, the Commission, your assistants and staff, and the legal department, our deep appreciation and acknowledgement of the service accorded us, the construction industry and City of Indianapolis.

We look forward to a continuing relationship with you and the Commission, and assure you of our continuing support.

Cordially,

Don E. Gibson
Executive Director

DEG/eks

May 18, 1970

Mr. Lloyd Scholl
Administrator of Buildings
City of Indianapolis
City-County Building
Indianapolis, Indiana 46204

Dear Mr. Scholl:

The deletion of Item 8-1517—Chapter 15 from proposal—Title 8 Building Code and the equalization of fees for Electrical, Plumbing and Heating and Air-Conditioning permits modifies the above mentioned Building Code sufficiently to be acceptable to the Electric League of Indianapolis. Therefore, on behalf of the Electric League

of Indianapolis, I endorse the proposed code in its present form for presentation to the City Council.

Sincerely yours,

W. T. Richards
Executive Vice President and Managing
Director

WTR/jb

May 15, 1970

City of Indianapolis
Department of Metropolitan Development
Room 1860, City-County Building
Indianapolis, Indiana 46204

Attn: Mr. David Meeker

Dear Mr. Meeker:

This is to affirm that members of our Association have attended the regularly scheduled meetings of the Task Force on Code Enforcement and Inspections during the past year.

You will also be advised that the final draft of Proposed Ordinance 81 (Title 8, Building Code) was reviewed by members of our Association at our monthly meeting on May 12, 1970, and that they generally concur with the ordinance in its present form.

We also request that this office be kept advised of activities, meetings, etc., as regards code enforcement and inspections in order that we may be of maximum assistance.

FOR THE ASSOCIATION:

Sincerely yours,

W. Channing Smith
Executive Manager

WCS:mlg

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May 18, 1970

Mr. Lloyd W. Scholl
Commissioner of Buildings
City/County Building
Room 2101
Indianapolis, Indiana 46204

Dear Sir:

Fire Prevention and Fire Safety should be of great concern to everyone, but, unfortunately this has not been the case in Indianapolis because our newly adopted Fire Prevention Inspection Program shows many buildings in our city that are without the minimum built-in Fire Safety appliances that the law requires. Code enforcement, in years past, has apparently lacked something to have caused this serious safety problem.

The Bureau of Fire Prevention is without an ordinance that would give the Bureau jurisdiction to enforce State Administrative Building Rules and Regulations if these state laws were being violated. In the past, the A.B.C. has been without an on-sight enforcement, which is a part of the reason why, Fire Safety is so poorly represented in some of our most modern buildings.

General Ordinance No. 81, 1970 would help to correct this need. The saving of life and property from destructive fire is our work, we need the most modern tools that present day man can devise to perform this work efficiently and even then some lives will be lost and some property destroyed. This Bureau would use Ordinance No. 81 to protect life and property. We strongly urge its passage.

Respectfully,

Donald E. Bollinger,
Chief Director of Fire Prevention
Indianapolis Fire Department

cc/ David O. Meeker
Alan R. Kimbell
DEB: nlg

1. Indiana Society of Architects
Don Gibson, Executive Secretary

2. Indiana Society of Architects,
Robert Kennedy
3. Indiana Society of Architects
John Trueblood, Executive Secretary
4. Construction League
Ed Harding, Executive Secretary
5. Electric League of Indianapolis
Bert Maillard, Executive Secretary
3. Electric League of Indianapolis
Harry K. Keller
7. Producers' Council
Ken Thomas, President
8. Ind. General Contractors' Assoc.
Larry McIlwain, Executive Secretary
9. Ind. General Contractors' Association
Les Green, Asst. Chapter Mgr.
10. Home Builders' Assoc. of Ind.
Bill Carson, Executive Secretary
11. Ind. Assoc. of Plumbing Heating & Cooling Contractors
Channing Smith, Executive Secretary
12. Ind. Assoc. of Plumbing, Heating & Cooling Contractors
Jerry L. Bratton
13. Ind. Concrete Masonry Assoc.
Bob Walton, Executive Dir.
14. Ind. Concrete Masonry Assoc.
Elbert Bradshaw,
Linaberry Block Co.
15. Ind. Lumber & Bldrs. Supply Assoc.
Dick Finch, Executive Secretary
16. Ind. Society of Professional Engineers
Lloyd Hickerson, Executive Secretary
17. Bldrs. Assoc. of Greater Indpls.
Dick Jones, Executive Secretary
18. Bldrs. Assoc. of Greater Indpls.
G. V. Ginger

19. Bldrs. Assoc. of Greater Indpls.
Michael W. Boeke
20. Bldrs. Assoc. of Greater Indpls.
Terry C. Paul
21. Mechanical Contractors' Assoc. of Central Ind.
Corwin Geyer, Executive Dir.
22. Piping Contr.
George Kirkoff
23. Portland Cement Assoc.
Dick Albright, Managing Eng.
24. Sheet Metal Contractors' Assoc. of Central Ind.
Bill Finney, Executive Secretary
25. Indpls. Lath. & Plastering Contractors' Assoc.
Bill Baker, Managing Dir.
26. Indpls. Roof. Contractors Assoc.
Fred McCain, Executive Secretary
27. Consulting Engineers of Ind.
Wayne Campbell, Executive Secretary
28. Natl. Electrical Contractors' Assoc.
George Pair, Executive Secretary
29. National Electrical Contractors' Assoc.
Mike Barth,
Barth Electric Co.
30. Indiana Sub-Contractors' Assoc.
Earl Cox, Executive Secretary
31. Paul I. Cripe Co., Inc.
William L. Dankert
32. R. T. Moore, Inc.
George F. Kirk
33. William LeMond, atty.
34. Bernard Landman, atty. (for H & H Corp.)
35. Dr. Henry G. Nester
Public Health Div.
36. Building Contractors Assoc. of Indpls., Ind.
Edward C. Harding, Executive Secretary

37. Indianapolis Real Estate Board
Paul Partlow,
Walker & Partlow
38. F. Joseph Viehmann
F. J. Viehmann Co
39. John A. Wallace, F. C. Tucker Co.
40. W. A. Brennan, Jr., W. A. Brennan, Inc.
41. Indpls. Redevelopment Commission
Clarence Beaven
42. Indpls. Redevelopment Commission
S. Earl Campbell, Jr.
43. Health & Hospital Corp.
Siegel Osborn
44. Michael A. Carroll
Metropolitan Planning Dept.
45. Gene Lausch, Atty.
Metropolitan Planning Dept.
46. Chief Don Bollinger,
Bureau of Fire Prevention
Indianapolis Fire Department
47. Don Robinson, Indpls. Chamber of Commerce
48. Robert Coonce
Coonce Electric Co.
49. Steve Thompson
Office of the Mayor
50. Bill Baker
Office of the Mayor
51. Wendell Mayer
Condemnation Dept.
52. Harold Kohlmeyer, Jr.
Corp. Council
53. Paul I. Cripe, Inc.
54. Indianapolis Apartment Institute
Rae Ginger, Secy.

55. Jaynes Plumbing & Heating
56. James Crawford
Fink, Roberts & Petrie
57. Wayne A. Wilson
Carlisle Plumbing Co.
58. James R. Dunn
American Society of Civil Engineers
59. Joseph F. Sexton
National Apt. Assoc.
60. Mr. Meredith Moore
Geupel-DeMars, Inc.
61. Del Bader
Bader Electrical Co.
62. Gordon B. Mess
63. Ray Hendricks
64. Henry A. Werking, Sr.
65. Myron Moriarity
Cook Bros., Inc.
66. Harold D. Schneider
H. D. Schneider Electric Co., Inc.
67. John A. Grayson
Ice Miller Donadio & Ryan
68. Bob Jacobi
Love Htg. & Air Cond.

On motion of Mr. Egenes, seconded by Mr. Byrum, General Ordinance No. 81, 1970, as amended, passed on the following roll call vote:

Ayes 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz.: Mr. Moriarty.

Mr. Egenes called for a second reading of General Ordinance Nos. 88 thru 93, 1970.

The Clerk read the Ordinances for the second time.

On motion of Mr. Egenes, seconded by Mr. SerVaas, General Ordinance Nos. 88 thru 93, 1970, passed on the following roll call vote:

Ayes 14, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Rev. Williams reported that the Committee on Parks & Recreation recommended passage of General Ordinance No. 95, 1970.

Rev. Williams called for a second reading of General Ordinance No. 95, 1970.

The Clerk read the Ordinance for the second time.

On motion of Mr. McPherson, seconded by Rev. Williams, the following amendment was proposed:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that City-County General Ordinance No. 95, 1970 be amended as follows:

(1) In Section 4, line 2 that the words "plant is grown" be stricken and the words "vegetation exists, is."

(2) In Section 5 that the word "growing" be stricken in line 2, and in lines 3 and 4 that the words "by May 15th and August 1st of each year" be stricken.

(3) In Section 6, line 2 that the words "plant life is grown" be stricken and the words "vegetation exists on" be inserted in lieu thereof and in line 6 on page 3, that the words ", or its contractual agents," be added after the words "The City."

(4) In Section 9, line 3 that the words ", but not solely limited to," be inserted after the word "including."

(5) In Section 10, line 3 that the word "or" be stricken and the word "and" be inserted in lieu thereof and that in line 4 the words and figures "and Section 18" be added after the figure "16."

(6) In Section 11, line 7, that the word "may" be stricken and the word "shall" be inserted in lieu thereof.

(7) In Section 12, line 7, that the words ", or the designated hearing officer of the Board," be inserted after the word "Board" and that the words and figures "fifteen (15)" in line 1 on page 5 be stricken and the words and figures "ten (10)" be inserted in lieu thereof.

(8) In Section 13, line 2 that the words "or the designated hearing officer" be added after the word "Board" and that in line 4 the words "or its designee" be added after the word "Board" and that the words "or its designee" be added after the second word "Board" in line 8.

That in line 13, the words "or its designee" be added after the word "Board" and that the second word "the" be stricken from line 14.

(9) In Section 14, in line 5 that the words "the actual expenditures for" be stricken and the words "five dollars (\$5.00) for preparing and" be inserted in lieu thereof.

(10) In Section 15, in line 4 that the words "or mowing" be stricken and the words "or spraying with a chemical" be inserted in lieu thereof; that the words and figures "Fifty (\$50.00)" be stricken from line 5 and the words and figures "Seventy-five (\$75.00)" be inserted in lieu thereof; that in line 8 the words "Two Hundred Fifty (\$250.00)" be stricken and the words and figures "Three Hundred (\$300.00)" be inserted in lieu thereof; that in line 10, the same change be made; that in line 14 the words "for labor and equipment" be added after the word "city" and in line 15 the figures "(\$2.50)" be stricken and the words and figures "Seven dollars and fifty cents (\$7.50)" be inserted in lieu thereof and the words "or part thereof" be added after the word "hour"; that the words "for labor and equipment" be added after the word "city" in line

19 and the words and figures "\$3.00 per man hour" be stricken, inserting in lieu thereof the words and figures "Seven dollars and fifty cents (\$7.50) per man hour or part thereof."

(11) That in Section 16, in line 7, that the words "County Auditor and the" be inserted before the word "City" and in line 8 that the words "special assessments and" be inserted after the word "as". And that in Section 16 after line 8 that a sentence be added as follows: "The proceeds received from such collections shall be returned to the Department removing or contracting for the removal of the forbidden botanical condition."

(12) That in Section 17, after line 5 that a sentence be added as follows: "If the Department of Parks and Recreation removes a forbidden botanical condition from property of another City or County Department or Office, then the costs incurred shall be billed to and reimbursed by the agency controlling the reality in question."

DONALD R. McPHERSON, Councilman

The amendment passed by unanimous voice vote.

On motion of Rev. Williams, seconded by Mr. McPherson, General Ordinance No. 95, 1970, as amended, passed on the following roll call vote:

Ayes 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams; and President Hasbrook.

Noes 1, viz.: Mr. Moriarty.

Mr. McPherson moved, seconded by Mr. Leak, to strike General Ordinance No. 73, 1970.

The motion to strike passed on the following roll call vote:

Ayes 14, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal,

Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. McPherson called for a second reading of General Ordinance No. 82, 1970.

The Clerk read the Ordinance for the second time.

Mr. McPherson moved, seconded by Mr. Boyd, that General Ordinance No. 82, 1970, be amended as follows:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that General Ordinance No. 82, 1970 be amended by striking out lines 1 and 2 of Section 1, the words "Municipal Code of Indianapolis—1951" and insert in lieu thereof the words "The Code of the City of Indianapolis and Marion County—1970."

DONALD R. McPHERSON, Councilman

The motion to amend passed by unanimous voice vote.

On motion of Mr. McPherson, seconded by Mr. Boyd, General Ordinance No. 82, 1970, as amended, passed on the following roll call vote:

Ayes 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz.: Mr. Moriarty.

Mr. McPherson called for a second reading of Appropriation Ordinance No. 8, 1970.

The Clerk read the Ordinance for the second time.

Mr. McPherson moved, seconded by Mr. Boyd, to

amend Appropriation Ordinance No. 8, 1970, to be printed in the following form:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that Appropriation Ordinance No. 8, 1970 be amended to reflect the changes, as included in the copies, entitled Appropriation Ordinance No. 8, 1970, as amended, distributed to all Councilmen and that the Clerk have the amended ordinance printed in the journal immediately following this motion.

DONALD R. McPHERSON, Councilman

CITY-COUNTY APPROPRIATION ORDINANCE NO. 8, 1970,
AS AMENDED

AN ORDINANCE transferring, appropriating, reappropriating, and reallocating the sum of Three Hundred Ninety-three Thousand One Hundred Sixteen Dollars (\$393,116.00) from the unappropriated and unencumbered general funds of the City of Indianapolis, Indiana (to certain Budget categories and items created by City-County Ordinance No. 1, 1969 (General Ordinance No. 34, 1969) as amended, for the use of the Office of the Mayor, Department of Model Cities, City Demonstration in Indianapolis, Indiana, for a 90-day interim budget, Three Hundred Fifty-five Thousand Two Hundred Thirty Dollars (\$355,230.00) of which shall be reimbursed by such Office of the Mayor, Department of Model Cities, City Demonstration Agency to such general funds upon receipt of funds from the United States Department of Housing and Urban Development, amending for this purpose the Budget for 1970, City-County Ordinance No. 1, 1969 (General Ordinance No. 34, 1969), as amended, 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 1970 Budget appropriations thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for the Marion County government and its institutions, and

WHEREAS, there are unexpended funds appropriated for certain departments and offices of the City of Indianapolis and Marion County which may be temporarily appropriated without detriment, and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the City General Fund in sufficient amount to make up the emergency needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Three Hundred Ninety-three Thousand One Hundred Sixteen Dollars (\$393,116.00) be and the same is hereby appropriated from the unappropriated and unencumbered general funds of the City of Indianapolis to the following budget categories and items, which are hereby added to the Budget for 1970, City-County Ordinance No. 1, 1969, as amended, to-wit:

REDUCE	CITY GENERAL FUND
Unappropriated, unencumbered and unexpended	
City General Fund -----	\$393,116.00
	<hr/>
Total Reduction -----	\$393,116.00

INCREASE:

OFFICE OF THE MAYOR
DEPARTMENT OF MODEL CITIES
CITY DEMONSTRATION AGENCY

1. Services—Personal -----	\$115,301.00
2. Services—Contractual -----	242,500.00
3. Supplies -----	6,900.00
5. Current Charges -----	8,350.00
6. Current Obligations -----	5,765.00
7. Properties -----	14,300.00
	<hr/>
Total Increase -----	\$393,116.00

Section 2 That this ordinance be in full force and effect from and after its passage, approval by the Mayor, and publication as required by law.

On motion of Mr. McPherson, seconded by Mr. Boyd, Appropriation Ordinance No. 8, 1970, as amended, passed on the following roll call vote:

Ayes 14, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown,

Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. McPherson called for a second reading of Special Resolution No. 12, 1970.

The Clerk read the Resolution for the second time.

Mr. McPherson moved, seconded by Mr. Boyd, that Special Resolution No. 12, 1970, be amended as follows:

Indianapolis, Ind., May 18, 1970

Mr. President:

I move that Special Resolution No. 12, 1970 be amended to reflect the changes as included in the copies, entitled Special Resolution No. 12, 1970, as amended, distributed to all Councilmen and that the Clerk have the amended resolution printed in the Journal immediately following this motion.

DONALD R. McPHERSON, Councilman

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1970,
AS AMENDED

A RESOLUTION authorizing submission of an application to the United States Department of Housing and Urban Development or other Federal Agencies for a grant to the Office of the Mayor, Department of Model Cities, City demonstration Agency in Indianapolis, Indiana.

WHEREAS, the City-County Council recognizes the need for obtaining federal reimbursement of expenditures for the 90-day interim budget of the Office of the Mayor, Department of Model Cities, City Demonstration Agency in Indianapolis, and

WHEREAS, a proposed budget has been submitted in the amount of \$393,116.00 for the period of March 6, through June 6, 1970, with \$355,230.00 of such fund to be reimbursed by the Department of Housing and Urban Development to the City of Indianapolis on the basis of a "Letter to Proceed."

WHEREAS, the Secretary of the Department of Housing and Urban

Development has tendered a proposed contract under which the United States of America herein called the "Government" agrees to make a grant to pay the lesser of Two Hundred Twenty-five Thousand Dollars (\$225,000) or 80% of the costs of planning and developing of a comprehensive city demonstration program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The proposed 90-day interim budget for Model Cities Administration in Indianapolis is hereby approved.

Section 2. The Mayor of the City of Indianapolis, or his lawful successor is hereby authorized and directed to execute an application and all necessary documents to obtain the maximum reimbursement of the 90-day interim budget from the United States Department of Housing and Urban Development or other federal agencies. The Mayor is hereby authorized and directed to impress and attest the official seal on the necessary counterparts of said proposed application, supporting documents and any amendments thereto, and to forward such counterparts to the proper federal authorities to obtain reimbursement to the Office of the Mayor. Department of Model Cities, City Demonstration Agency which shall thereupon reimburse the City General Fund.

The motion to amend passed by unanimous voice vote.

On motion of Mr. McPherson, seconded by Mr. Boyd, Special Resolution No. 12, 1970, as amended, passed on the following roll call vote:

Ayes 14, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

OLD BUSINESS

Mr. SerVaas requested permission from the Council to resign as the Council appointee to the Marion County Tax Adjustment Board.

The resignation having been accepted, Mr. SerVaas nominated Mr. Leak for the appointment. The nomination was seconded by Mr. Gorham.

Mr. Leak was appointed by unanimous voice vote.

NEW BUSINESS

Mr. SerVaas requested that the Council set either Friday before or the Monday following Memorial Day as a holiday .

President Hasbrook referred the question to the Committee on Rules and Policy.

On motion of Mr. Egenes, seconded by Mr. Gorham, the meeting adjourned at 8:35 P.M.

We hereby certify that the above and foregoing is full, true and complete record of the proceedings of the City-County Council of Indianapolis and Marion County, held on the 18th day of May, 1970, at 6:30 P.M.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Thomas C. Hasbrook

President

ATTEST:

Maryann H. O'Laughlin

(SEAL)

City Clerk