

REGULAR MEETING

Monday, June 1, 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, June 1, 1970.

Vice-President SerVaas 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, Rev. Williams, and Chairman SerVaas.

Absent: President Hasbrook.

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

Chairman SerVaas called for the reading of Communications from the Mayor and other City-County Officials.

COMMUNICATIONS FROM THE MAYOR AND
OTHER CITY-COUNTY OFFICIALS

May 22, 1970

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

Gentlemen:

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

APPROPRIATION ORDINANCE NO. 8, 1970, as amended, transferring \$393,116.00 from the City General Fund to the Model Cities Administration.

GENERAL ORDINANCE NO. 81, 1970, as amended, completely revising Title 8 of the Municipal Code, concerning the building code of the Consolidated City.

GENERAL ORDINANCE NO. 82, 1970, as amended, creating in the Office of the Mayor a Department of Model Cities, City Demonstration Agency.

GENERAL ORDINANCE NO. 95, 1970, as amended, requiring the owners and occupants of certain real property in Marion County to control and remove certain plant life.

SPECIAL RESOLUTION NO. 12, 1970, as amended, authorizing submission of an application to the U.S. Department of Housing and Urban Development or other Federal agencies for a grant to the Model Cities Administration in Indianapolis, Indiana.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

June 1, 1970

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on

June 1, 1970]

Indianapolis, Marion Co., Ind.

363

May 26, 1970 and again on June 2, 1970 General Ordinance No. 82, 1970, as amended, and General Ordinance No. 95, 1970, as amended.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

June 1, 1970

Gentlemen:

To the Honorable President and Members of the City-County
Council of Indianapolis and Marion County:

Gentlemen:

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

GENERAL ORDINANCE NO. 107, 1970, to amend the Municipal
Code, Title 4, Chapter 10, Section 3-1001 (6), Passenger and Material
Loading Zones—Permits.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 108, 1970, to amend the Municipal
Code, Title 4, Chapter 8, Section 813, Parking Restricted on Streets
near Certain Public Buildings.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NOS. 109-124, 1970, rezoning ordinances
certified from the Metropolitan Development Commission on May
22, 1970, and introduced by the Metropolitan Development Commission
on May 28, 1970.

HAROLD J. EGENES, Councilman

APPROPRIATION ORDINANCE NO. 14, 1970, appropriating \$934,-673.49 from the unexpended balance of the Marion County General Fund to Department 11 (Marion County Council), Current Charges, Account No. 405, Department of Transportation.

WILLIAM K. BYRUM, Councilman

APPROPRIATION ORDINANCE NO. 15, 1970, transferring \$2,700.00 from the Department of Public Safety to certain designated funds of the Department of Public Safety.

WILLIAM A. LEAK, Councilman

APPROPRIATION ORDINANCE NO. 16, 1970, transferring \$11,-200.00 from Metropolitan Development to other designated funds of the Department of Metropolitan Development.

HAROLD J. EGENES, Councilman

APPROPRIATION ORDINANCE NO. 17, 1970, transferring \$14,-750.00 from the General Fund of the City of Indianapolis to the Office of the Mayor.

DONALD R. McPHERSON, Councilman

May 28, 1970

Honorable Members of the
Unified Council, City of Indianapolis, County of Marion

Gentlemen:

In the years 1967 and 1968, a portion of inheritance tax receipts representing eight percent (8%) of total collection was retained in Marion County and paid over to the Mass Transportation Authority of Greater Indianapolis.

The State Board of Accounts insists that these funds were properly payable at that time to the County General Fund, and that the Department of Transportation should return said funds to the County General Fund. Such return has been made.

As Director of Transportation, I hereby request that these funds be appropriated from the County General Fund for the use of the Department of Transportation, to improve roadways in Marion County.

Respectfully submitted,

RICHARD B. WETZEL, P.E.
Director

Chairman SerVaas called for the Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO, 14, 1970

Introduced by Councilman Byrum:

AN ORDINANCE appropriating the sum of Nine Hundred Thirty-four Thousand Six Hundred Seventy-three Dollars and Forty-nine Cents (\$934,673.49) from the unexpended, unencumbered and unappropriated balance of the Marion County General Fund to Department 11 (Marion County Council), Current Charges, Account No. 405, Department of Transportation, City of Indianapolis, 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 of the Marion County General Fund, Department 11 (Marion County Council); and

WHEREAS, there are available unexpended, unencumbered and unappropriated monies in the Marion County General Fund in sufficient amount to meet the emergency needs;

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

Section 1. That the sum of Nine Hundred Thirty-four Thousand Six Hundred Seventy-three Dollars and Forty-nine Cents (\$934,673.49) be, and the same is hereby, appropriated from the unexpended, unencumbered and unappropriated funds of the Marion County General Fund, and the same is hereby appropriated to the account shown below under the heading INCREASE as follows, to-wit:

Reduce Marion County General Fund -----\$934,673.49

INCREASE:

Marion County Council, Current Charges, Account
No. 405, Department of Transportation -----\$934,673.49

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

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 15, 1970

Introduced by Councilman Leak:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Twenty-seven Hundred Dollars (\$2,700.00) from certain designated appropriations for the expense of the Department of Public Safety, City of Indianapolis, Indiana, to other certain designated funds of the Department of Public Safety, City of Indianapolis as created by virtue of the Budget for 1970, City-County General Ordinance Number 1, 1969, as amended, (City General Ordinance No. 34, 1969, as amended), and declaring an emergency.

WHEREAS, an emergency exists for the paying of fuel oil bills for Civil Defense Police Headquarters and Civil Defense has unexpended funds elsewhere in its budget; and

WHEREAS, the Weights and Measures division desires to equalize the salaries of its deputy inspectors and has unexpended funds elsewhere in its budget:

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

Section 1. That the sum of Twenty-seven Hundred Dollars (\$2,700.00) be and the same is hereby transferred from the appropriations of the Department of Public Safety shown below under the heading REDUCE and the same is hereby reappropriated to the same department for other uses and purposes as shown below under the heading INCREASE as follows, to-wit:

REDUCE:

DEPARTMENT OF PUBLIC SAFETY
CIVIL DEFENSE DIVISION

CITY GENERAL FUND

- 2. Services — Contractual -----\$300.00
- 5. Current Charges -----\$400.00

WEIGHTS AND MEASURES DIVISION

- 7. Properties -----\$2,000.00

Total Reductions -----\$2,700.00

INCREASE:

DEPARTMENT OF PUBLIC SAFETY
CIVIL DEFENSE DIVISION

CITY GENERAL FUND

- 3. Supplies -----\$700.00

WEIGHTS AND MEASURES DIVISION

- 1. Services - Personal -----\$2,000.00

Total Increase -----\$2,700.00

Section 2. This Ordinance shall be in full force and effect from

and after its passage, approval by the Mayor, and publication pursuant to law.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 16, 1970

Introduced by Councilman Egenes:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Eleven Thousand Two Hundred Dollars and no/100 (\$11,200.00) from certain designated appropriations for the expenses of the Department of Metropolitan Development, City of Indianapolis, Indiana, to other certain designated funds of the Department of Metropolitan Development, City of Indianapolis, as created by virtue of the Budget for 1970, City-County General Ordinance Number 1, 1969, as amended (City General Ordinance No. 34, 1969, as amended), and declaring an emergency.

WHEREAS, the Metropolitan Development Commission has requested a transfer of funds for salary assistance for the new position of Director of Special Projects and Intergovernmental Relations

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

Section 1. That the sum of Eleven Thousand Two Hundred Dollars and no/100 (\$11,200.00) be and the same is hereby transferred from the appropriation shown below for the Department of Metropolitan Development, City of Indianapolis, Indiana, under the heading REDUCE and the same is hereby reappropriated to said department for the uses and purposes shown below under the heading INCREASE as follows, to-wit:

REDUCE:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

ADMINISTRATION, PLANNING AND ZONING
BUILDINGS AND CODE ENFORCEMENT

CITY GENERAL FUND

| | |
|---------------------------------|---------------------------|
| 2. Services - Contractual ----- | \$11,200.00 |
| Total Reduction ----- | <u><u>\$11,200.00</u></u> |

INCREASE:

DEPARTMENT OF METROPOLITAN DEVELOPMENT
ADMINISTRATION, PLANNING AND ZONING
BUILDINGS AND CODE ENFORCEMENT

| | |
|------------------------------|---------------------------|
| 1. Services - Personal ----- | \$11,200.00 |
| Total Increase ----- | <u><u>\$11,200.00</u></u> |

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication pursuant to law.

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

CITY COUNTY APPROPRIATION ORDINANCE NO. 17, 1970

Introduced by Councilman McPherson:

AN ORDINANCE transferring, appropriating, and reallocating the sum of Fourteen thousand seven hundred fifty dollars (\$14,750.00) from the unappropriated and unencumbered general fund of the City of Indianapolis, Indiana to budget categories and items created by City-County Ordinance No. 1, 1969, as amended (City General Ordinance No. 34, 1969, as amended), for the use of the Office of the Mayor for salaries for participants and other expenses relating to the employment and educational opportunities program of the Federal Department of Housing and Urban Development concerning metropolitan planning and development.

WHEREAS, the City of Indianapolis has been designated as the

agency for the State of Indiana for Title VIII of the Federal Community Development Training Program which has authorized federal reimbursements of contributions of \$11,200 for participants' salaries and \$3,550 for study course operation; and

WHEREAS, such authorization contemplates that local contributions of \$6,720 toward participants' salaries and \$8,402 for administrative, secretarial, supply and incidental needs of the program; and

WHEREAS, an emergency exists to advance such funds in addition to amounts in the budget, which funds are qualified for reimbursement by the federal government, and there are available unexpended, unencumbered and unappropriated monies in the City General Fund in sufficient amount to cover such 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 Fourteen thousand seven hundred fifty dollars (\$14,750.00) be and the same is hereby appropriated from the unappropriated, unexpended and unencumbered General Fund of the City of Indianapolis, under the heading REDUCE, to the budget category of the Office of the Mayor under the heading INCREASE, in the Budget for 1970, City-County Ordinance No. 1, 1969, as amended (City General Ordinance No. 34, 1969, as amended) to-wit:

REDUCE:

| | CITY GENERAL FUND |
|------------------------------------|--------------------|
| Unappropriated, Unencumbered and | |
| Unexpended City General Fund ----- | \$14,750.00 |
| | <hr/> |
| Total Reduction ----- | <u>\$14,750.00</u> |

INCREASE:

| | OFFICE OF THE MAYOR |
|------------------------------|---------------------|
| | CITY GENERAL FUNL |
| 1. Services — Personal ----- | \$14,750.00 |
| | <hr/> |
| Total Increase ----- | <u>\$14,750.00</u> |

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication pursuant to law.

Which was read for the first time and referred to the Special Committee on Model Cities.

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 10, Section 3-1001 (6), Passenger and Material Loading Zones—Permits, 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:

Section 1. That Title 4, Chapter 10, Section 4-1001 (6) thereof, Passenger and Material Loading Zones—Permits, be, and the same is hereby amended by the addition of the following:

| <u>No.</u> | <u>Feet</u> | <u>Location</u> |
|------------|-------------|--|
| 129 | 18 ft. | On the east side of North Talbot commencing approximately 31 ft. from the south curb line of East 22nd Street. For use and occupancy of The Corner Grocery, 2157 N. Talbot St. |

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. 108, 1970

Introduced by Councilman Byrum:

AN ODRINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 813 thereof, Parking Restricted on Streets near Certain Public Buildings, 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 813 thereof, PARKING RESTRICTED ON STREETS NEAR CERTAIN PUBLIC BUILDINGS, be, and the same is hereby amended by the addition of the following new Subsection 18:

- (18) EAST SIDE OF PINE STREET BETWEEN VIRGINIA AVE. AND FIRST ALLEY NORTH OF VIRGINIA AVENUE. No person other than a person obtaining or seeking to obtain, treatment at the Southeast Health Center shall park a vehicle on the east side of Pine Street between Virginia Avenue and the first alley north of Virginia Avenue between the hours of 9:00 a.m. and 9:00 p.m. of any day except Sundays and Holidays. All such persons shall remove their vehicles from said portion of Pine Street as soon as feasible after their treatment is concluded.

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.

ORDINANCES ON SECOND READING

Mr. McPherson called for second reading of City-County General Ordinance No. 97, 1970.

The Clerk read the Ordinance for the second time.

On motion of Mr. McPherson, seconded by Mr. Egenes, City-County General Ordinance No. 97, 1970 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. Moriarty, Rev. Williams, and Chairman SerVaas.

Mr. Byrum reported that the Committee on Transportation recommended passage of General Ordinance No. 96, 1970.

Mr. Byrum called for a second reading of General Ordinance No. 96, 1970.

The Clerk read the Ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, General Ordinance No. 96, 1970, passed on the following roll call vote:

Ayes 9, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown,

Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson, and Chairman SerVaas.

Noes 4, viz.: Mr. Gorham, Mr. Leak, Mr. Moriarty, and Rev. Williams.

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage for General Ordinance Nos. 98 thru 106, and General Ordinance Nos. 109, 110, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, and 124 and that General Ordinance Nos. 111 and 119 be held.

Mr. Egenes called for a second reading of General Ordinance Nos. 98 thru 106, 1970.

The Clerk read the Ordinances for the second time.

Mr. Leak requested consent of the Council to vote on General Ordinance No. 98, 1970 by itself.

Consent of Council being granted and on motion of Mr. Egenes, seconded by Mr. Byrum, General Ordinance No. 98, 1970, passed on the following roll call vote:

Ayes 11, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. McPherson, Mr. Moriarty, Rev. Williams, and Chairman SerVaas.

Noes 2, viz.: Mr. Cottingham, Mr. Leak.

On motion of Mr. Egenes, seconded by Mr. Byrum,

General Ordinance Nos. 99 thru 106, 1970, 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. Moriarty, Rev. Williams, and Chairman SerVaas.

Mr. Egenes called for second reading of General Ordinance Nos. 109, 110, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, and 124.

The Clerk read the Ordinances for the second time.

Mr. Leak moved, seconded by Mr. Cottingham, to table the ordinances.

The motion to table failed on the following roll call vote:

Ayes 2, viz.: Mr. Cottingham, and Mr. Leak.

Noes 9, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Egenes, Mr. Gorham, Mr. McPherson, Rev. Williams, and Chairman SerVaas.

Mr. Gorham moved, seconded by Rev. Williams, to table any of the General Ordinances with any negative vote by a member of the staff of the Metropolitan Plan Commission.

The motion failed on the following roll call vote:

Ayes 3, viz.: Mr. Gorham, Mr. Leak, and Rev. Williams.

Noes 9, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. Moriarty, and Chairman SerVaas.

Mr. McPherson moved, seconded by Mr. Byrum, to suspend the rules on the passage of General Ordinance Nos. 109, 110, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, and 124.

The motion passed on the following roll call vote:

Ayes 8, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Egenes, Mr. McPherson, Mr. Moriarty, and Chairman SerVaas.

Noes 4, viz.: Mr. Cottingham, Mr. Gorham, Mr. Leak, and Rev. Williams.

Mr. Egenes moved, seconded by Mr. McPherson, for the adoption of City-County General Ordinance Nos. 109, 110, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, and 124, under suspension of rules.

Ayes 9, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Egenes, Mr. Gorham, Mr. McPherson, Mr. Moriarty, and Chairman SerVaas.

Noes 3, viz.: Mr. Cottingham, Mr. Leak, Rev. Williams.

OLD BUSINESS

Mr. McPherson announced a special meeting on June 12, 1970, at 4:00 P.M. of the Committee on Public Works, for consideration of City-County General Ordinance No. 80, 1970.

Mr. Leak announced that the Committee on Public Safety would have a public hearing Monday, June 8, 1970, at 8:00 P.M. to consider City-County General Ordinance No. 84, 1970, in the public auditorium.

Mr. Cottingham announced that a hearing of the Committee on County and Townships would be held in Room 260 on June 8, 1970, at 7:00 P.M.

Chairman SerVaas announced a tentative schedule for budget hearings.

There being no further business, 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 1st day of June, 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.



ATTEST:

Vice-President



(SEAL)

City Clerk