

REGULAR MEETING

Monday, September 21, 1970, 6:30 P.M.

The regular meeting of the City-County Council of the City of Indianapolis and Marion County convened in the Public Auditorium, second floor, of the City-County Building at 6:30 P.M. on Monday, September 21, 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. McPherson moved, seconded by Mr. Gorham, to dispense with the reading of the Journal of the previous meeting, which was unanimously carried.

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

September 9, 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 returned to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County Ordinances:

GENERAL ORDINANCE NO. 175, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

GENERAL ORDINANCE NO. 176, 1970, to amend the Municipal Code, Title 4, Chapter 10, Section 1001 (6) thereof, PASSENGER AND MATERIAL LOADING ZONES—PERMITS.

GENERAL ORDINANCE NO. 178, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, and Chapter 9, Section 902 thereof, TWO-HOUR PARKING METER ZONES.

SPECIAL RESOLUTION NO. 29, 1970, authorizing submission of a comprehensive Neighborhood Facilities Plan by the chief executive officers of the City of Indianapolis to the Secretary of the United States Department of Housing and Urban Development.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

September 21, 1970

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three public places and published in the Indianapolis News and the Indianapolis Commercial on September 4, 1970 and again on

September 11, 1970, a "Notice to Taxpayers" of a public hearing to be held on Monday, September 21 1970, in Room 221 of the City-County Building at 6:30 P.M. on Appropriation Ordinance No. 46, 1970, and Appropriation Ordinance No. 47, 1970.

Also pursuant to the laws of the State of Indiana, I caused to be published in the aforementioned newspapers on September 10, 1970, and again on September 17, 1970, General Ordinance Nos. 175, 176, and 178, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

September 21, 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. 49, 1970, transferring and appropriating the sum of One Thousand Dollars (\$1,000.00) from funds of Marion County Gov't.-Juvenile Court.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 50, 1970, transferring and reappropriating the sum of \$780.00 from funds of Marion County Gov't.-Franklin Township Assessor.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 51 1970, transferring and reappropriating the sum of \$358.00 from Marion County Gov't.-Cooperative Extension Service.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 52, 1970, transferring and reappropriating the sum of \$3,750.00 from funds of Marion County Gov't.-Juvenile Court.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 53, 1970, transferring and reappropriating \$50,000.00 from funds of Marion County Gov't.-Marion County Sheriff.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 54, 1970, transferring and appropriating the sum of \$21,295.25 from the balance of the County General Fund to other funds of Marion County Gov't.-City County Council for certain matching funds for the Municipal Court program under the supervision of the Indiana Criminal Justice Planning Agency.

THOS. C. HASBROOK, Councilman

GENERAL ORDINANCE NOS. 212-229, 1970, rezoning ordinances certified from the Metropolitan Development Commission on September 18, 1970.

HAROLD J. EGENES, Councilman

GENERAL ORDINANCE NO. 230, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 231, 1970, to amend the Municipal Code, Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 232, 1970, to amend the Muni-

pal Code, Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS—FOUR-WAY STOPS.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 233, 1970, to amend the County Code of Marion County, 1966, as amended, more particularly Title 9, Chapter 904, LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN STREETS, providing penalties and fixing a time when the same shall take effect.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 234, 1970, to amend the Municipal Code of Indianapolis, 1951, as amended, Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, providing penalties and fixing a time when the same shall take effect.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 235, 1970, regulating the peace and good order of the consolidated city, establishing a penalty for violation thereof, and providing for an effective date.

THOS. C. HASBROOK, Councilman

GENERAL ORDINANCE NO. 236, 1970, prohibiting the sale or loan of pornographic material and the exhibition of indecent presentations; providing for preliminary determination of obscenity as to motion pictures and sound recordings; providing penalties and repealing certain ordinances in conflict.

WILLIAM A. LEAK, Councilman

SPECIAL RESOLUTION NO. 31, 1970, advising local law enforcement agencies to be particularly vigilant with regard to possible violation of obscenity provisions of state law and city ordinances to persons performing in or staging theatrical productions.

WILLIAM A. LEAK, Councilman

President Hasbrook called for Introduction of New Ordinances.

NEW ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 49, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of One thousand dollars (\$1,000.00) from certain designated appropriations to certain other designated funds of Marion County government and its institutions as created by virtue of the Budget of 1970, City-County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), as amended, and declaring an emergency

WHEREAS, certain emergencies have arisen in the Juvenile Court since the adoption of the 1970 Budget in that the Court is participating in a Demonstration Probation project financed through the Federal Government through the Criminal Justice Planning Agency which participation requires the expenditure of additional monies to match Federal grants in an amount in excess of the 1970 Annual Budget, and;

WHEREAS, there are unexpended and unencumbered Juvenile Court funds appropriated for certain salary expenses of the Juvenile Court which may be transferred with detriment.

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

Section 1. The sum of One thousand dollars (\$1,000.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE

JUVENILE COURT

100 Services Personal —	COUNTY FUND
	\$1,000.00
Total Reduction	\$1,000.00

INCREASE

JUVENILE COURT

200 All Other Operating Expenses	COUNTY FUND
	\$1,000.00
TOTAL INCREASE	\$1,000.00

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 County and Townships.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 50, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of Seven hundred eighty dollars (\$780.00) from certain designated appropriations to certain other designated appropriations for the expenses 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.

WHEREAS, an emergency has risen in the office of the Franklin Township Assessor since the adoption of the 1970 Budget for the office of the Franklin Township Assessor for the purchase of an electric typewriter and an adding machine, the purchase of which will require expenditures in excess of the amounts appropriated in the 1970 Budget, and

WHEREAS, there are unexpended and unencumbered funds appropriated for certain reassessment purposes which may be transferred without detriment.

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

Section 1. The sum of Seven hundred eighty dollars (\$780.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE

FRANKLIN TOWNSHIP ASSESSOR

	COUNTY FUND
200 All Other Operating Expense	\$ 780.00
	<hr/>
Total Reduction	\$ 780.00

INCREASE

FRANKLIN TOWNSHIP ASSESSOR

	COUNTY FUND
600 Properties	\$ 780.00
	<hr/>
Total Increase	\$ 780.00

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 County and Townships.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 51, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating

and reallocating the sum of Three hundred and fifty-eight dollars (\$358.00) from certain designated appropriations to certain other designated appropriations for the expenses 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.

WHEREAS, an emergency has risen in the Cooperative Extension Service since the adoption of the 1970 Budget for the office of the Cooperative Extension Service requiring the employment of extra help for their special program, the expenditure for which will exceed appropriations in the 1970 Budget.

WHEREAS, there are unexpended and unencumbered funds appropriated for certain work study programs which may be transferred without detriment.

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

Section 1. The sum of Three hundred and fifty-eight dollars (\$358.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE

COOPERATIVE EXTENSION SERVICE

	COUNTY FUND
200 All Other Operating Expense	\$ 358.00
Total Reduction	<u>\$ 358.00</u>

INCREASE

COOPERATIVE EXTENSION SERVICE

100 Services Personal	\$ 358.00
Total Increase	<u>\$ 358.00</u>

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 County and Townships.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 52, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of Three thousand seven hundred and fifty dollars (\$3,750.00) from certain designated appropriations to certain other designated appropriations for the expenses 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.

WHEREAS, an emergency has risen at the Juvenile Court since the adoption of the 1970 Budget for the expenditures of additional funds for telephone, office supplies, dues and subscriptions, returning fugitives and mileage for Probation Officers due to the increased Court Room facilities and new procedures, all of which require expenditures in excess of the appropriations contained in the 1970 Budget, and

WHEREAS, there are unexpended and unencumbered funds appropriated for certain salary which may be transferred without detriment.

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

Section 1. The sum of Three thousand seven hundred and fifty dollars (\$3,750.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE:

JUVENILE COURT

	COUNTY FUND
100 Services Personal	\$3,750.00
Total Reduction	<u>\$3,750.00</u>

INCREASE

JUVENILE COURT

	COUNTY FUND
200 All Other Operating Expense	\$3,500.00
400 Current Charges	250.00
Total Reduction	<u>\$3,750.00</u>

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication 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. 53, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of Fifty thousand dollars (\$50,000.00) 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, and declaring an emergency.

WHEREAS, certain emergencies have arisen in the Marion County Jail since the adoption of the 1970 Budget in that the cost of food and garage supplies have increased such that the appropriations of the 1970 Budget are not sufficient to pay for the food and

garage supplies required for operation of the Marion County Jail for the remainder of the calendar year, and

WHEREAS, there are unexpended and unencumbered monies available in certain salary accounts for said Department which may be transferred without detriment.

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

Section 1. The sum of Fifty thousand dollars (\$50,000.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE and from the unexpended, unencumbered and unappropriated balance of the County General Fund, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE:

MARION COUNTY SHERIFF

	COUNTY FUND
100 Services Personal	\$ 44,700.00
Reduce Unappropriated County General Fund	5,300.00
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Total Reduction	\$ 50,000.00

INCREASE

MARION COUNTY SHERIFF

200 All Other Operating Expense	\$ 50,000.00
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Total Increase	\$ 50,000.00

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 County and Townships.

CITY-COUNTY APPROPRIATION ORDINANCE NO 54, 1970

Introduced by Councilman Hasbrook:

AN ORDINANCE transferring and appropriating the sum of Twenty-one thousand two hundred ninety-five dollars and twenty-five cents (\$21,295.25) from the unexpended, unencumbered and unappropriated balance of the County General Fund to certain other designated funds of Marion County government and its institutions as created by virtue of the Budget of 1970, City-County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), as amended and declaring an emergency.

WHEREAS, an emergency has arisen since the adoption of the existing 1970 budget appropriations for the expenditure by the City-County Council for certain matching funds for the Municipal Court programs under the supervision of the Indiana Criminal Justice Planning Agency which requires expenditure of funds in excess of those appropriated in the 1970 Budget for such purposes; and

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

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

Section 1. The sum of Twenty-one thousand two hundred Ninety-five dollars and twenty-five cents (\$21,295.25) be and the same is hereby appropriated from the unexpended, unencumbered and unappropriated balance of the County General Fund, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows:

REDUCE	COUNTY FUND
Reduce unappropriated County General Fund	\$ 21,295.25
Total Reduction	<u> </u> \$ 21,295.25

INCREASE	CITY-COUNTY COUNCIL	COUNTY FUND
200 All other operating expenses		\$ 21,295.25
	Total Increase	<u>\$ 21,295.25</u>

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 County and Townships.

CITY-COUNTY GENERAL ORDINANCES NO. 212 TO 239, 1970

Introduced by Councilman Egenes:

Gen. Ord. No. 212, 1970—

70-Z-138 Sam & Faye R. Klezmer by Marvin Mitchell, Atty., 2220 North Meridian St. request rezoning of 1.40 acres, being in D-5 district, to C-3 classification to provide for commercial use. Located on the east side of Michigan Road, 187' north of 57th St. in Indianapolis, Washington Twp. (5715 North Michigan Road).

Gen. Ord. No. 213 1970—

70-Z-155 Hamilton Building Corp. by A & M Transfer Co., Inc. by Jack H. Rogers, Atty., requests rezoning of 21.71 acres, being in A-2 district, to I-2-S classification to provide for furniture storage & warehousing. Located on the south side of Brookville Road, east side of Franklin Road in Indianapolis, Warren Twp. (8000 block Brookville Road).

Gen. Ord. No. 214, 1970—

70-Z-169 Philip Jr. & Ida Caito by W. F. LeMond, Attorney, 412 Union Federal Bldg. request rezoning of 38.77 acres, being in D-6 district, to D-7 classification to provide for apartments. Located on the west side of Caito Dr., 635' north of East 56th St. in the City of Lawrence (5700 block Caito Drive).

Gen. Ord. No. 215, 1970—

70-Z-170 Philip Jr. & Ida Ann Caito by W. F. LeMond, Attorney, 412 Union Federal Bldg. request rezoning of 13.34 acres, being in D-6 district to C-2 classification to provide for a motor hotel located on the north side of East 56th St., west side of Caito Dr. in the City of Lawrence (7200 block East 56th St.).

Gen. Ord. No. 216, 1970—

70-Z-171 Marie T. Lauck, 323 Peoples Bank Bldg. requests rezoning of 3.01 acres, being in D-3 & B-2 districts, to C-3 classification to provide for a branch bank. Located on the east side of South Meridian St., north of Stop 11 Road, as proposed in the Thoroughfare Plan in Indianapolis, Perry Twp. (8129 South Meridian St.).

Gen. Ord. No. 217, 1970—

70-Z-173A Prince of Peace Evangelical Lutheran Church by John A. Grayson, Atty., 111 Monument Circle requests rezoning of 2.68 acres, being in D-4 district, to C-3 classification to provide for neighborhood commercial purposes. Located on the west side of Lafayette Road, 620' north of 34th St. in Indianapolis, Wayne Twp. (3500 block Lafayette Road).

Gen. Ord. No. 218, 1970—

70-Z-173B Prince of Peace Evangelical Lutheran Church by John A. Grayson, Atty., 111 Monument Circle & Herbert J. & Shirley A. Backer request rezoning of 4.71 acres, being in D-4 district, to C-5 classification to provide for general commercial purposes. Located on the west side of Lafayette Road, 755' north of 34th St. in Indianapolis, Wayne Twp. (3500 block Lafayette Road).

Gen. Ord. No. 219, 1970—

70-Z-174 Rockton Associates by W. F. LeMond, Atty., 412 Union Federal Bldg., requests rezoning of 2.68 acres, being in D-6-II district, to I-1-S classification to provide for restricted industrial use. Located on the north side of John Marshall Dr., 311' east of Mitthoeffer Road in Indianapolis, Wayne Twp. (10100 block John Marshall Dr.).

Gen. Ord. No. 220, 1970—

70-Z-176 Richard A. & Florence G. West by Charles T. Gleason, Atty., 301 Circle Tower Bldg. request rezoning of 2.35 acres, being in D-3 district to SU-1 classification to provide for church use. Located on the west side of Guion Road, 754' south of West 38th St. in Indianapolis, Wayne Twp. (3700 block Guion Road).

Gen. Ord. No. 221, 1970—

70-Z-177 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 15.00 acres, being in D-6 & D-7 districts to SU-2 classification to provide for school purposes. Located on the east side of Moller Road, 2349' north of W. 38th Street in Indianapolis, Pike Twp. (4200 N. Moller Road).

Gen. Ord. No. 222, 1970—

70-Z-178 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 9.62 acres, being in D-6 & SU districts to D-6.11 classification to provide for an apartment project. Located on the east side of Moller Road, 1300' north of W. 38th Street in Indianapolis, Pike Twp. (4200 N. Moller Road).

Gen. Ord. No. 223, 1970—

70-Z-179 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 78.82 acres, being in D-6 & A-2 districts to D-6 classification to provide for an apartment project. Located on the east side of Moller Road, south of W. 46th Street of Indianapolis, Pike Township (4300-4500 block of N. Moller Road)

Gen. Ord. No. 224, 1970—

70-Z-180 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 36.49 acres, being in D-6, A2, SU-2, D-7 & SU-4 districts to D-6.II classification to provide for apartments. Located on the west side of Lafayette Road,

approx. 550' south of W. 46th Street in Indianapolis, Pike Twp. (4500 block of Lafayette Road).

Gen. Ord. No. 225, 1970—

70-Z-181 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, requests rezoning of 81.42 acres, being in SU-2, D-7, SU-4, D-6, SU-1, B-2 & B-3 districts to D-7 classification to provide for apartments. Located 400' east of Moller Road, and approx. 949' north of W. 38th Street in Indianapolis, Pike Twp. (approx. 4000-4100 block of Moller Road).

Gen. Ord. No. 226, 1970—

70-Z-182 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 57.59 acres, being in SU-4, D-7, & B-3 districts to C-2 & C-4 classifications to provide for the construction and operation of a commercial complex. Located on the north side of 38th Street, east side of Moller Road in Indianapolis, Pike Twp. (3900 block of Moller Road). (C-2, 3.25 acres —C-4, 54.33 acres).

Gen. Ord. No. 227, 1970—

70-Z-183 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 11.74 acres, being in D-7 district to C-2 classification to provide for a motel. Located on the north side of W. 38th Street, west side of Georgetown Road in Indianapolis, Pike Twp. (4900 block of W. 38th Street).

Gen. Ord. No. 228, 1970—

70-Z-184 Louisville-New York Development Corp., by Michael and David R. Zukerman, by Charles G. Castor, Atty., 1106 Indiana Building, request rezoning of 66.48 acres, being in SU-1, B-2, B-3 & D-7 districts to C-1 classification to provide for an apartment and office complex. Located on the north side of W. 38th Street, approx 600' west of Georgetown Road in Indianapolis, Pike Twp. (5000 block of W. 38th Street).

Gen. Ord. No. 229, 1970—

70-Z-185 William V. & Goldie A. Black by Philip A. Nicely, Atty., 1100 First Federal Bldg. request rezoning of 1.33 acres, being in A-2 district, to C-1 classification to provide for a funeral home. Located on the west side of Mann Road, 300' south of Kentucky Ave. in Indianapolis, Decatur Twp. (3510 Mann Road).

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

CITY-COUNTY GENERAL ORDINANCE NO. 230, 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 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, 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 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, be, and the same is hereby, amended by the addition of the following:

Street	Side	From	To
South Alabama	East	Henry Street	1st Alley south of Henry
Wittfield St.	East	E. 42nd St.	Meadowlark Dr.

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, 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. 231, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, 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 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, be, and the same is hereby, amended by the addition of the following:

Preferential	Stop
96th Street	Robison Rd.
Robison Rd.	Private road leading to Shell Oil Company
Meadowlark Dr.	Wittfield
Webster Ave.	32nd Street
32nd St.	Catherwood Ave.

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. 232, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS—4-WAY

STOPS, 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 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS—4-WAY STOPS, be, and the same is hereby, amended by the addition of the following:

Congress Street and Barnes Avenue

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. 233, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the County Code of Marion County, 1966, as amended, and more particularly Title 9, Chapter 904 thereof, LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN

STREETS, 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 9, of the County Code of Marion County, 1966, as amended, and more particularly Chapter 9.04 thereof, LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN STREETS, be, and the same is hereby amended by the deletion of the following:

Street	From	To
Shortridge Road	English Avenue	Bonna Avenue

Section 2. 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. 234, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, 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 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, be, and the same is hereby, amended by the addition of the following:

Preferential Hartman Drive	Stop East 37th Street
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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. 235, 1970

Introduced by Councilman Hasbrook:

AN ORDINANCE regulating the peace and good order of the consolidated city, establishing a penalty for violation thereof, and providing for an effective date.

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

Section 1. Disorderly persons—Any person

1. Causing, making, or assisting in making any loud noise or shouting within the city intending thereby to create an unreasonable disturbance which is offensive to the dignity of the city and of its inhabitants or other persons, or;
2. Conducting himself in a noisy, boisterous, or loud manner, by either words or acts toward any other person, intending to abuse or annoy such person or intending to cause or provoke a general disturbance within the city, or;
3. Using obscene, indecent or profane language on any street, alley or other public place in the city with intent to insult, provoke or disturb the peace of the inhabitants or other persons, or;
4. Congregating with others on a public street, alley, or sidewalk

so as to obstruct the orderly flow of other persons or traffic and refusing to move on when ordered by the police;

shall be deemed a disorderly person.

Section 2. Penalty. Violation of any provision of this ordinance shall constitute a misdemeanor and any person convicted of any violation hereof may be punished by a fine of not exceeding Five Hundred Dollars (\$500.00) or by imprisonment of not to exceed one hundred eighty (180) days, or by both such fine and imprisonment.

Section 3. Repeal of Municipal Code. Section 10-402 of Title 10, Chapter 4 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951 as amended, is hereby expressly repealed.

Section 4. Effective Date. This ordinance shall be in full force and effect on and after its passage, approval by the Mayor and publication as provided by law.

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

CITY-COUNTY GENERAL ORDINANCE NO. 236, 1970

Introduced by Councilman Leak:

AN ORDINANCE prohibiting the sale or loan of pornographic material and the exhibition of indecent presentations; providing for preliminary determination of obscenity as to motion pictures and sound recordings; providing penalties and repealing certain ordinances in conflict.

Section 1. Definition—As used in this ordinance:

A. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion of the nipple, or the depiction of covered male genitals in a discernably turgid state.

B. "Sexual conduct" means acts of masturbation, homosexuality,

sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

C. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

D. "Sado-masochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

E. "Harmful to the public" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

1. predominantly appeals to the prurient, shameful or morbid interest, and
2. is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material, and
3. is utterly without redeeming social importance.

F. "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of the character and content of any material described herein which is reasonably susceptible of examination by the defendant.

Section 2. Sale or loan of pornographic material unlawful—

It shall be unlawful for any person knowingly to sell or loan for monetary consideration:

A. any motion picture film of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse which is harmful to the public.

B. any sound recording which contains any matter enumerated in paragraph (A) (this section) hereof, or explicit and detailed verbal

descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which taken as a whole is harmful to the public.

Section 3. Indecent exhibits—unlawful to admit for monetary consideration—It shall be unlawful for any person knowingly to exhibit for a monetary consideration or knowingly to sell an admission ticket or pass, or knowingly to admit for a monetary consideration to premises, or knowingly to allow their premises to be used for exhibiting, a motion picture, show, live theatre production, or other presentation which, in whole or in part, depicts, or portrays, nudity, sexual conduct or sado-masochistic abuse and which is harmful to the public.

It shall be unlawful for any person to perform an act of nudity, sexual conduct or sado-masochistic abuse in a motion picture, show, live theatre production or other presentation which is harmful to the public.

Section 4. Preliminary determination of obscenity as to motion pictures and sound recordings—Before a motion picture or sound recording may be seized by law enforcement officers under this ordinance, the court shall hold an adversary proceeding to determine whether there is probable cause that the motion picture, or sound recording, on its face, is unlawful under this ordinance. If the court so determines probable cause exists, the court may issue a search warrant for seizure of the alleged harmful motion picture, or sound recording.

Section 5. Severability. If any section, paragraph, or provision contained in this ordinance or the application thereof to any person or circumstance be declared invalid or unconstitutional, such invalidity shall not affect the other provisions herein contained or their application, which can be given effect without the invalid provision or application; and to this end, the provisions of this ordinance are declared to be severable.

Section 6. Penalty—Any person violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed Five hundred dollars (\$500.00) or imprisonment for a period not to exceed one hundred and eighty (180) days, or both such fine and imprisonment.

Section 7. Repeal—all other ordinances in conflict herewith are hereby repealed.

Section 8. Effective date—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 SPECIAL RESOLUTION NO. 31, 1970

Introduced by Councilman Leak:

A RESOLUTION advising local law enforcement agencies to be particularly vigilant with regard to possible violations of obscenity provisions of state law and city ordinances by persons performing in or staging theatrical productions.

WHEREAS, the people of the City of Indianapolis have expressed their concern that this City may be subjected to the indignities attendant to certain theatrical productions which are presently being staged about the nation, and;

WHEREAS, the City Council has in the past enacted code provisions for the prevention of immorality, obscenity, nudity and lewdness in this community, and;

WHEREAS, there are current provisions contained within the Statutes of the State of Indiana to prevent public indecency and obscenity if properly applied, and;

WHEREAS, this Council being the primary legislative body for this City and for the County, is of the belief that some doubt may exist as to the community's position with regard to the application of existing law to stage productions which purvey lewdness and are potentially offensive to prevailing standards, and;

WHEREAS, this combined Council is desirous of establishing its official position on this subject in order that local law enforcement authorities may apply the law to any forthcoming theatrical productions without hesitation;

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

Section 1. That all law enforcement agencies having jurisdiction within the City of Indianapolis and Marion County are hereby charged with the duty and responsibility of exercising particular vigilance to insure that all of the provisions of State law and local ordinances are applied without hesitation to any obscene or lewd theatrical production which may be staged in this City and to prosecute all violations of law to the fullest extent.

Section 2. That this Resolution shall be in full force and effect from and after its passage.

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

ORDINANCES ON SECOND READING

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage of General Ordinance Nos. 185-205, 1970, General Ordinance Nos. 206-211, 1970, Special Ordinance Nos. 16, 17, and 18, 1970 and Special Resolution No. 30, 1970. Also, General Ordinance No. 131, which had been previously held.

Mr. Egenes called for second reading of City-County General Ordinance Nos. 185-205, 1970.

The Clerk read the ordinances for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of City-County General Ordinance Nos. 185-205, 1970.

The ordinances 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. Egenes called for second reading of City-County General Ordinance Nos. 206-211, 1970.

The Clerk read the ordinances for the second time.

On motion of Mr. Egenes, seconded by Mr. Gorham, City-County General Ordinance Nos. 206-211, 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.

Mr. Egenes called for second reading of City-County Special Ordinance No. 16, 1970.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, for the adoption of City-County Special Ordinance No. 16, 1970, which was 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. Egenes called for second reading of City-County Special Ordinance No. 17, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Byrum, the ordinance 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. Egenes called for second reading of City-County Special Ordinance No. 18, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Gorham, the ordinance 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. Egenes called for second reading of City-County Special Resolution No. 30, 1970.

The Clerk read the resolution for the second time.

On motion of Mr. Egenes, seconded by Mr. Leak, the resolution 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. Egenes called for a second reading of City-County General Ordinance No. 131, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Cottingham, the ordinance 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. Leak called for a second reading of Appropriation Ordinance No. 44, 1970.

The Clerk read the ordinance for the second time.

Mr. Leak reported that the Committee on Public Safety recommended that this ordinance be passed.

On motion of Mr. Leak, seconded by Mr. Egenes, the ordinance 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. Leak called for a second reading of City-County General Ordinance No. 160, 1970.

The Clerk read the ordinance for the second time.

After discussion, and on motion of Mr. Leak, seconded by Mr. Broderick, the ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Byrum, Mr. Gorham, and Mr. McPherson.

Rev. Williams called for a second reading of City-County Appropriation Ordinance No. 46, 1970.

The Clerk read the ordinance for the second time.

After discussion, and on motion of Rev. Williams, seconded by Mr. Byrum, the ordinance failed to pass for lack of two-thirds majority; the roll call was as follows:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes,

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

Noes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, and Mr. Moriarty.

Mr. Byrum called for second reading of City-County General Ordinance No. 179, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Gorham, the ordinance 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, Mr. SerVaas, and Rev. Williams.

Noes 1, viz: President Hasbrook.

Mr. Cottingham called for third reading of City-County Appropriation Ordinance No. 38, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Cottingham, seconded by Mr. Gorham, the ordinance 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. Cottingham called for third reading of City-County Appropriation Ordinance No. 40, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Cottingham, seconded by Mr. Egenes, the ordinance failed for want of two-thirds majority; the roll call was as follows:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, and Mr. Moriarty.

Mr. Cottingham called for third reading of City-County Appropriation Ordinance No. 41, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Cottingham, seconded by Mr. Boyd, the ordinance 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. Leak called for second reading of City-County Special Resolution No. 31, 1970.

The Clerk read the resolution for the second time.

On motion of Mr. Leak, seconded by Mr. Gorham, the resolution passed on the following roll call vote:

Ayes 9, viz: Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. Moriarty, Mr. SerVaas, and President Hasbrook.

Noes 5, viz: Mr. Boyd, Mr. Byrum, Mr. Forestal, Mr. McPherson, and Rev. Williams.

NEW BUSINESS

Members of the public requested a hearing with the Council.

With unanimous consent, the council recessed for public hearing at 7:50 P.M.

The Council reconvened at 8:30 P.M.

President Hasbrook appointed a Special Committee of the following councilmen: Mr. McPherson, Chairman; Mr. Boyd, Mr. Cottingham, Mr. Forestal, and Mr. Leak. This committee will meet at 9:00 A.M. on September 22, 1970.

President Hasbrook recessed the meeting until 5:00 P.M. on September 22, 1970.

The council reconvened on Tuesday, September 22, 1970, at 7:28 P.M. in the Public Auditorium.

Mr. McPherson, Chairman of the Special Committee, requested that Mr. Boyd read the committee's report, Special Resolution No. 32, 1970, as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1970

The Special Committee reports and recommends to the Council on its charge to investigate allegations of police brutality and misconduct as follows:

1. This Committee be empowered to proceed under Municipal Ordinance 2-119, and other applicable laws, to continue its investigation of these charges, with full subpoena powers and full latitude for recommending action.
2. That a subpoena be immediately issued to the Indianapolis Police Department to produce all records involved in these charges no later than 12:00 Noon, September 23, 1970.
3. The Committee will reconvene and hear additional witnesses on this issue on Thursday, September 24, 1970, at 6:00 P.M.
4. This Committee finds allegations against police officers, made by the Johnson family and friends deserve immediate consideration by the Grand Jury. The Committee recommends that these charges receive this immediate attention. Once this action is taken, it is normal procedure for the affected officer to be suspended, pending investigation of the charge. This Committee recommends that this normal procedure be followed.

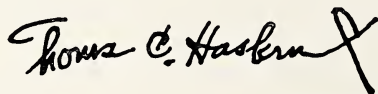
Mr. Boyd moved, seconded by Mr. McPherson, for the adoption of Special Resolution No. 32, 1970; the motion was carried by a majority voice vote.

Mr. McPherson stated that this Special Committee would hold another meeting at 6:00 P.M. on Thursday, September 24, 1970.

Mr. SerVaas moved to adjourn, seconded by Mr. Byrum; the motion was unanimously carried.

We hereby certify that the above and foregoing is a full, true, and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 21st and 22nd days of September, 1970.

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