

## REGULAR MEETING

Monday, February 1, 1971, 6:30 P.M.

The Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers in the City-County Building at 6:30 P.M. on Monday, February 1, 1971.

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. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

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

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

January 19, 1971

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

Gentlemen:

I have this day approved with my signature and returned to the City Clerk the following City-County Ordinances:

GENERAL ORDINANCE NO. 306, 1970, amending Chapter 7, Section 709 of the Code, Preferential Streets.

GENERAL ORDINANCE NO. 307, 1970, amending Title 7, Chapter 709 of the Code, Preferential Streets.

GENERAL ORDINANCE NO. 308, 1970, amending Chapter 8 of the Code by repealing Section 813 and adding a new Section 813 for Special Parking Privileges for Certain Persons and/or Vehicles in Certain Locations.

GENERAL ORDINANCE NO. 309, 1970, amending Chapter 8, Section 814.1, Parking, Stopping or Standing Prohibited any and all Times on Certain Streets.

GENERAL ORDINANCE NO. 310, 1970, amending Chapter 7, Section 709, Preferential Streets.

GENERAL ORDINANCE NO. 311, 1970, amending Chapter 7, Section 709, Preferential Streets.

Respectfully submitted,

MAYOR RICHARD G. LUGAR

February 1, 1971

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published twice in the Indianapolis Commercial and the Indianapolis News on January 21, 1971, and again on January 28, 1971, a "Notice

to Taxpayers" of a public hearing to be held on February 1, 1971, in Room 221 of the City-County Building at 6:30 P.M. on Appropriation Ordinances No. 1 and 3, 1971.

Also pursuant to the laws of the State of Indiana, I caused to be published in the aforementioned newspapers and on the aforementioned dates, General Ordinance Nos. 306-311, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

February 1, 1971

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

Gentlemen:

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

APPROPRIATION ORDINANCE NO. 2, 1971, an ordinance appropriating and reallocating the sum of Five Thousand Seven Hundred Forty-two Dollars in the County Fund from certain designated purposes of the County Treasurer to certain other designated purposes of that office.

DWIGHT L. COTTINGHAM, Councilman

SPECIAL ORDINANCE NO. 1, 1971, an ordinance changing the name of certain streets and roadways in Marion County, Indiana—Main Street, Town of Clermont, to Crawfordsville Road, West 31st Street, Town of Clermont, to Robey Road.

HAROLD J. EGENES, Councilman

SPECIAL RESOLUTION NO. 5, 1971, a resolution approving

the annexation and incorporation of certain additional territory into the Indianapolis Sanitary District.

DONALD R. McPHERSON, Councilman

GENERAL ORDINANCE NOS. 19-24, 1971, rezoning ordinances certified from the Metropolitan Development Commission on January 26, 1971.

HAROLD J. EGENES, Councilman

President Hasbrook called for the Introduction of New Ordinances.

## INTRODUCTION OF NEW ORDINANCES

### APPROPRIATION ORDINANCES

#### CITY-COUNTY APPROPRIATION ORDINANCE NO. 2, 1971

Introduced by Councilman Cottingham:

AN ORDINANCE appropriating and reallocating the sum of Five thousand seven hundred forty-two dollars (\$5,742.00) in the County Fund from certain designated purposes of the County Treasurer to certain other designated purposes of that office as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended, and declaring an emergency.

WHEREAS, an extraordinary condition exists in the office of the County Treasurer in that the County Treasurer has determined that certain bookkeeping machines for the Treasurer's office which have heretofore been leased could more economically be purchased; and

WHEREAS, the appropriations for purchase of equipment are insufficient to allow this change from leasing to purchasing thereby creating an emergency for the appropriation of funds for such purchases; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for the County Treasurer which may be transferred in sufficient amounts to meet 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. The sum of Five thousand seven hundred forty-two dollars (\$5,742.00) be, and the same is hereby, transferred from certain designated appropriations shown below under the heading REDUCE; and the same be, and is hereby, appropriated for the purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

	County Fund
COUNTY TREASURER	
400 Current Charges	\$ 5,742.00
	<hr/>
Total Reductions	\$ 5,742.00

INCREASE:

	County Fund
COUNTY TREASURER	
600 Properties	\$ 5,742.00
	<hr/>
Total Increases	\$ 5,742.00

Section 2. This ordinance shall be in full force and effect from and after its passage, publication according to law, and approval of the State Board of Tax Commissioners.

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

GENERAL ORDINANCES

CITY-COUNTY GENERAL ORDINANCE NOS. 19-24, 1971

Introduced by Councilman Egenes:

## G. O. NO. 19, 1971

70-Z-257—Hawthorne Restaurant, Inc. by Lester Irons, Attorney, 1313 Merchants Bank Bldg. requests rezoning of 0.82 acre, being in C-5 & D-10 districts, to C-5 classification to provide for a car wash with sale of gasoline. Located between SR 37 & Allisonville Road, north of Fall Creek Parkway, North Drive, in Indianapolis, Washington Township (4325 Allisonville Road).

## G. O. NO. 20, 1971

70-Z-263 Metropolitan Development Commission, 2041 City-County Bldg. proposes rezoning approximately 1.60 acres, being in U3-H1-A3 district, to C-2 classification. Located on the north and south sides of East 34th Street, east and west sides of Clifton Street in Indianapolis, Center Township (3300-3400 blocks Clifton Street).

## G. O. NO. 21, 1971

71-Z-1 Walter E. Justus & Walter G. Justus, Partners d/b/a Justus Investment Co., 1398 North Shadeland Ave., request rezoning of 91.56 acres, being in A-2 district, to D-6 II classification to provide for an apartment complex. Located between East 16th and 21st Streets, I-465 & Franklin Road in Indianapolis, Warren Township (7700-7900 blocks East 21st Street).

## G. O. NO. 22, 1971

71-Z-2 Walter E. Justus & Walter G. Justus, Partners d/b/a Justus Investment Co., 1398 North Shadeland Ave., request rezoning of 6.31 acres, being in A-2 district, to C-1 classification to provide for a Nursing Home. Located 490' north of East 16th St., approx. 150' east of I-465 in Indianapolis, Warren Township (7600 block East 16th Street).

## G. O. NO. 23, 1971

71-Z-3 Walter E. Justus & Walter G. Justus, Partners d/b/a Justus Investment Co., 1398 North Shadeland Ave., request rezoning of 5.22 acres, being in A-2 district, to D-9 classification to provide for an apartment complex. Located 550' south of East

21st St. approx. 350' east of I-465 in Indianapolis, Warren Township (7600 block East 21st Street).

G. O. NO. 24, 1971

71-Z-4 Walter E. Justus & Walter G. Justus, Partners d/b/a Justus Investment Co., 1398 North Shadeland Ave., request rezoning of 12.25 acres, being in A-2 district, to C-1 classification to provide for an office complex. Located on the east side of I-465, 300' south of East 21st St. in Indianapolis, Warren Township (7600 block East 21st Street).

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

## SPECIAL ORDINANCES

### CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1971

Introduced by Councilman Egenes:

AN ORDINANCE changing the names of certain streets and roadways in Marion County, Indiana;

WHEREAS, the Metropolitan Development Commission has on January 28, 1970, recommended certain changes of names and streets and roadways in Marion County, Indiana; and

WHEREAS, the City-County Council now determines that such changes should be made;

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

Section 1. That the roadway in the Town of Clermont, heretofore known as "Main Street" as it existed as an extension of Crawfordsville Road from the Penn Central Railroad (at approximately 8700 West) to the Hendricks-Marion County line (at approximately

9300 west) be, and is hereby designated and named "Crawfordsville Road".

Section 2. That the street heretofore known as "West 31st Street" in Clermont, Indiana, as it exists extending from Bridgeport Road west to Tansel Road, be and is hereby designated and named "Robey Road".

Section 3. That the road heretofore known as "Hendricks-Marion County Line Road", as it exists along the Marion-Hendricks County line extending intermittently from approximately 9000 south to 7100 North, be and is hereby designated and named "Raceway Road".

Section 4. This ordinance shall be in full force and effect from and after passage and approval by the Mayor.

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

## SPECIAL RESOLUTIONS

### CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1971

Introduced by Councilman McPherson:

A RESOLUTION approving the annexation and incorporation of certain additional territory into the Indianapolis Sanitary District.

WHEREAS, the Board of Public Works on January 4, 1971, adopted BOARD OF PUBLIC WORKS RESOLUTION NO. 2024-1971, CONFIRMING INCORPORATION OF ADDITIONAL TERRITORY TO THE SANITARY DISTRICT OF THE CITY OF INDIANAPOLIS; and

WHEREAS, this council now determines that such annexation and incorporation of territory should be approved,

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



Section 1. The annexation and incorporation of the additional territory into the Indianapolis Sanitary District as contained in BOARD OF PUBLIC WORKS RESOLUTION NO. 2024-1971 is hereby approved and the following described territory is incorporated into the Sanitary District of the City of Indianapolis, to wit:

Part of Sections 17, 18, 19 and 20, Township 17 North, Range 3 East in Pike Township, Marion County, Indiana, and being more particularly described as follows:

Beginning at a point on the East line of Section 20, said point being 331.8 feet north of the South East corner of said Section 20; thence north upon and along said East line to the North East corner of said Section 20, said north east corner also being the south east corner of Section 17; thence continuing north upon and along the east line of said Section 17 to a point, said point being on the extension of the South right-of-way line of Interstate 465; thence west upon and along the said South right-of-way of Interstate 465 to a point on the west line of said Section 17; said West line also being the east line of Section 18; thence continuing west upon and along the said south right-of-way of Interstate 465 to a point on the centerline of North Michigan Road (S.R. 421); thence southeasterly upon and along said centerline of North Michigan Road to a point on the south line of said Section 18, said south line also being the North line of Section 19; thence continuing southeasterly upon and along the centerline of said North Michigan Road to a point on the East line of said Section 19, said East line also being the west line of Section 20; thence continuing southeasterly upon and along the said centerline of North Michigan Road to a point on the south line of said Section 20; thence East upon and along said south line to a point, said point being 1289.10 feet west of the south east corner of said Section 20; thence north parallel to the east line of said Section 20 a distance of 331.8 feet; thence East parallel to the South line of said Section 20 a distance of 1289.10 feet to a point on the east line of said Section 20, said point being the point of beginning.

Section 2. This resolution shall be in full force and effect upon adoption and approval by the Mayor.

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

President Hasbrook called for Ordinances on Second Reading.

### ORDINANCES ON SECOND READING

Mr. Byrum requested that the Council hear the Ordinances in the Transportation Committee out of order, so that he could be excused from the meeting.

Consent of the Council was granted.

The Transportation Committee Report reads as follows:

#### TRANSPORTATION COMMITTEE OF THE UNIFIED COUNCIL

January 20, 1971

A joint meeting of the Transportation Board and the Transportation Committee of the Unified Council was held Wednesday, January 20, 1971, at 4:00 p.m., in Room 260 City-County Building.

Present were, William K. Byrum, Chairman; Harold J. Egenes and Jerome E. Forestal, Committee Members.

Also present were Richard B. Wetzel, Director of Transportation; Gary L. Booher, Joseph P. Davis, Shirley R. Green and Jack F. Patterson, Transportation Board Members.

City-County General Ordinances 300, 1, 2, 3, 4, and 5 were presented for public hearing, and City-County General Ordinances 11, 15, 16, 17 and Appropriation Ordinance 3, 1971, were introduced.

Your Committee recommends to the Unified Council that General Ordinance 300, 1970, be amended, (see attached redraft) and that General Ordinance 300, 1971, as amended, and General Ordinances 1, 2, 3, 4, 5 and Appropriation Ordinance 3, 1971, be adopted; and a public hearing set for Wednesday, February 3, 1971, on General Ordinances 11, 15, 16 and 17.

Mr. Byrum called for a second reading of City-County Appropriation Ordinance No. 3, 1971.

The Clerk read the Ordinance for the second time.

After discussion of the Ordinance, Mr. Byrum moved, seconded by Mr. Leak, for the passage of City-County Appropriation Ordinance No. 3, 1971.

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

Mr. Forestal was out of the Council Chamber.

Mr. Byrum reported that at the request of Mr. McPherson, City-County General Ordinance No. 300, 1970, would be held.

Mr. Byrum called for a second reading of City-County General Ordinance Nos. 1, 2, 3, and 4, 1971.

The Clerk read the Ordinances for the second time.

After discussion, Mr. Byrum moved, seconded by Mr. Egenes, for the passage of City-County General Ordinance Nos. 1, 2, 3, and 4, 1971.

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. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Byrum called for a second reading of City-County General Ordinance No. 5, 1971.

The Clerk read the Ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 5, 1971.

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. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes introduced a visiting group in the audience, St. Lawrence Parish Cub Scout Pack No. 427.

Mr. Cottingham gave a report on the Committee on County and Townships, which reads as follows:

#### COUNTY AND TOWNSHIPS COMMITTEE

Monday, January 11, 1971

7:30 P.M. Room 260

Present: Chairman Cottingham, Mr. Brown, and Mr. SerVaas.

Ordinances to be considered for passage: City-County Appropriation Ordinance No. 1, 1971, City-County Appropriation Ordinance No. 2, 1971, and Transfer No. 1, 1971.

City-County Appropriation Ordinance No. 1, 1971. Mr. Noble Percy, Marion County Prosecutor appeared for this ordinance. The Committee recommended the funding of this position to be taken

out of the Sheriff's budget and requested a meeting between Mr. Percy and Sheriff Eads to see if this could be accomplished.

City-County Appropriation Ordinance No. 2, 1971. This request was approved by the Committee.

Transfer No. 1, 1971. This Transfer was approved by the Committee.

DWIGHT L. COTTINGHAM, Chairman

Mr. Cottingham called for a second reading of City-County General Ordinance No. 12, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Boyd, for the passage of City-County General Ordinance No. 12, 1971.

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

Noes 2, viz: Mr. Gorham, and Mr. Neal.

Mr. Byrum had been excused from the meeting.

Mr. Cottingham requested that City-County Appropriation Ordinance No. 1, 1971, and City-County General Ordinance No. 18, 1971, be held.

Mr. Leak called for second reading of City-County Special Ordinance Nos. 24 and 26, 1970.

The Clerk read the Ordinances for the second time.

Mr. Leak reported that the Committee on Public Safety recommended passage of these Ordinances.

After discussion, Mr. Leak moved, seconded by Rev. Williams, for the passage of City-County Special Ordinance Nos. 24 and 26, 1970.

The Ordinances passed on the following roll call vote:

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

Noes 2, viz: Mr. McPherson, and Mr. Neal.

Mr. McPherson reported that the Committee on Public Works would hold City-County General Ordinance No. 256, 1970, for further revision.

President Hasbrook relinquished the Chair to Mr. SerVaas.

President Hasbrook called for a second reading of City-County General Ordinance No. 298, 1970.

The Clerk read the Ordinance for the second time.

President Hasbrook reported that the Committee on Rules & Policy recommended that the Ordinance be amended and passed.

Mr. Leak moved, seconded by President Hasbrook, that City-County General Ordinance No. 298, 1970, be amended as follows:

Indianapolis, Ind., February 1, 1971

Mr. President:

I move that General Ordinance No. 298, 1970, be amended by striking out of Section 3-103, sub-section F, line 6, the words "each officer" and line 9, the words "officers and supervisors"; also by striking out of line 8, sub-section I, Section 3-103, the words "Exceptions to this policy", and all of line 9 and 10, and inserting in lieu thereof the following; in line 6, subsection F of Section 3-103, the words "the Director of Administration and each elected county official"; and in line 9, the words "Elected county officials and the Director of Administration."

WILLIAM A. LEAK, Councilman

The motion to amend passed by unanimous voice vote.

Mr. Boyd moved, seconded by Mr. Broderick, to further amend City-County General Ordinance No. 298, 1970, as follows:

Indianapolis, Ind., February 1, 1971

Mr. President:

I move that City-County General Ordinance No. 298, 1970 be amended by inserting in Chapter 3, Section 3-302, between the words "authorized" and "to", the words "and directed".

ROZELLE BOYD, Councilman

The motion to amend passed by unanimous voice vote.

After further discussion, President Hasbrook moved,

seconded by Mr. Gorham, for the passage of City-County General Ordinance No. 298, 1970, as amended.

The Ordinance passed on the following roll call vote:

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

President Hasbrook announced that there would be a Regular Meeting of the City-County Council on Monday, February 15, 1971, at 6:30 P.M. in the Council Chamber. A Special Meeting of the Police Special Service District Council will be held on February 15, 1971, at 6:00 P.M.

On motion of Rev. Williams, seconded by Mr. Gorham, the Council adjourned at 8:05 P.M.

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 1st day of February, 1971, 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:

*Maryanne N. O'Sullivan*

(SEAL)

City Clerk