

SPECIAL MEETING

Monday, August 23, 1971, 6:30 P.M.

A Special 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, August 23, 1971.

President Hasbrook in the chair.

The Clerk read the call of the Special Meeting:

TO THE MEMBERS OF THE CITY-COUNTY COUNCIL OF
INDIANAPOLIS-MARION COUNTY, INDIANA

GENTLEMEN:

You are hereby notified that there will be a SPECIAL MEETING of the City-County Council held in the Council Chamber on Monday, August 23, 1971 at 6:30 P.M., the purpose of such SPECIAL MEETING being to receive communications from the Mayor and other City-County Officials, introduce new ordinances, consider for passage all ordinances and resolutions enumerated on the attached agenda, which is hereby incorporated in the notice by reference and to conduct any and all other business requiring the attention of the City-County Council at this time.

Respectfully,

THOMAS C. HASBROOK,
President City-County Council

I, Marjorie H. O'Laughlin, Clerk of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the City-County Council prior to the time of such SPECIAL MEETING pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

MARJORIE H. O'LAUGHLIN,
City Clerk

(SEAL)

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, and President Hasbrook.

Absent: Rev. Williams.

Mr. Gorham moved, seconded by Mr. McPherson, 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

August 4, 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 delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following city-county ordinances and resolution:

APPROPRIATION ORDINANCE NO. 35, 1971, appropriating \$520,000.00 from the Park District Fund to certain purposes of the Department of Parks and Recreation.

GENERAL ORDINANCE NO. 124, 1971, to amend the Code, Title 4, Chapter 8, Section 812, **Parking Prohibited At All times On Certain Streets**, and providing penalties.

GENERAL ORDINANCE NO. 132, 1971, amending the Code, Title 4, Chapter 7, Section 709, **Vehicles Must Stop Before Entering Preferential Streets**, and providing penalties.

GENERAL ORDINANCE NO. 133, 1971, to amend the Code of Indianapolis-Marion County, 1970, to provide that applicants for licenses issued pursuant to the Code shall not be indebted either to the City or the County.

GENERAL ORDINANCE NO. 134, 1971, amending the Code of Indianapolis-Marion County, 1970, to provide for a change in the classifications of scavenger trucks for purposes of license fees and insurance.

GENERAL ORDINANCE NO. 136, 1971, amending the Code, Title 4, Chapter 7, Section 709, **Vehicles Must Stop Before Entering Preferential Streets**, and providing penalties.

GENERAL ORDINANCE NO. 137, 1971, amending the Code, Title 4, Chapter 8, Section 812, **Parking Prohibited At All Times On Certain Streets**, and providing penalties.

SPECIAL RESOLUTION NO. 28, 1971, providing equal opportunity to apprentices to building trades crafts, properly indentured in a Joint Apprenticeship Training Program.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

August 23, 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 posted in three public places and published in the Indianapolis News and the Indianapolis Commercial on August 5, and 12, 1971, a "Notice to Taxpayers" of a public hearing on Appropriation Ordinance No. 37, 1971, to be held on Monday, August 23, 1971, in Room 221, City-County Building at 6:30 P.M.

Also, I caused to be published in the above-named newspapers on August 23, 1971 a "Notice of Special Meeting", and also, on August 9 and 16, 1971, General Ordinance Nos. 124, 132, 133, 134, 136, and 137, 1971.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

August 23, 1971

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of the following city-county ordinances and resolutions:

APPROPRIATION ORDINANCE NO. 39, 1971, appropriating \$12,200.00 in the Market Fund from the unappropriated Market Fund to certain purposes of the City Market of the Department of Public Works.

DONALD R. McPHERSON
Councilman

APPROPRIATION ORDINANCE NO. 40, 1971, transferring

\$450.00 in the City General Fund from certain purposes of the Department of Public Safety to certain purposes of that division.

WILLIAM C. LEAK
Councilman

APPROPRIATION ORDINANCE NO. 41, 1971, transferring \$64,358.52 in the County Fund from certain designated purposes of the Presiding Judge of Municipal Courts, the Marion County Jail, and the Decatur Township Assessor to certain other designated purposes of those offices.

APPROPRIATION ORDINANCE NO. 42, 1971, appropriating and transferring the \$248,500.00 in the County Welfare Fund from the unappropriated County Welfare Fund and from certain other appropriations of the Marion County Department of Public Welfare to certain other designated purposes of that department.

APPROPRIATION ORDINANCE NO. 43, 1971, appropriating \$5,000.00 in the County General Fund from certain expenses of the County Auditor to certain designated purposes of Criminal Court 1.

DWIGHT L. COTTINGHAM
Councilman

GENERAL ORDINANCE NO. 189, 1971, to amend the Municipal Code of Indianapolis, 1951, more particularly Title 4, Chapter 9, Section 902, Two-Hour Parking Meter Zones, and providing penalties.

GENERAL ORDINANCE NO. 190, 1971, to amend the Municipal Code of Indianapolis, 1951, more particularly Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets, and providing penalties.

GENERAL ORDINANCE NO. 191, 1971, to amend the Municipal Code of Indianapolis, 1951, more particularly Title 4,

Chapter 13, Section 1303(2), Trucks On Certain Roads Restricted, and providing penalties.

WILLIAM K. BYRUM
Councilman

GENERAL ORDINANCE NO. 194, 1971, to amend Title 7 of the Code of Indianapolis and Marion County, 1970, providing for the licensing of book stores and magazine stands.

DONALD R. McPHERSON
Councilman

GENERAL ORDINANCE NOS. 180-188, 1971, rezoning ordinances certified from the Metropolitan Development Commission on August 11, 1971.

GENERAL ORDINANCE NOS. 195-206, 1971, rezoning ordinances certified from the Metropolitan Development Commission on August 19, 1971.

HAROLD J. EGENES
Councilman

SPECIAL RESOLUTION NO. 31, 1971, approving the annexation and incorporation of certain additional territory into the Indianapolis Sanitary District.

DONALD R. McPHERSON
Councilman

SPECIAL RESOLUTION NO. 32, 1971, approving the annexation and incorporation of certain additional territory into the Indianapolis Sanitary District.

DONALD R. McPHERSON
Councilman

President Hasbrook called for the introduction of new ordinances.

INTRODUCTION OF NEW ORDINANCES
APPROPRIATION ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 39, 1971

Introduced by Councilman McPherson:

AN ORDINANCE appropriating the sum of Twelve thousand two hundred dollars (\$12,200.00) in the Market Fund from the Unappropriated Market Fund to certain designated purposes of the City Market of the Department of Public Works as created by virtue of the Budget for 1971, City-County General Ordinance No. 168, 1970 as amended and declaring an emergency.

WHEREAS, a necessity arises for the appropriation of additional sums for the operation of the City Market; and

WHEREAS, there are available unencumbered, unexpended, unappropriated monies in the Market Fund which may be appropriated without detriment 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 Twelve thousand two hundred dollars (\$12,200.00) be, and the same is hereby, transferred from a certain designated appropriations shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:	Market Fund
Unappropriated Market Fund	\$ 12,200.00
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TOTAL REDUCTIONS	\$ 12,200.00
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INCREASE:	Market Fund
DEPARTMENT OF PUBLIC WORKS	
City Market	
1. Services, Personal	\$ 1,500.00

2. Services, Contractual	3,500.00
3. Supplies	500.00
5. Current Charges	3,300.00
7. Properties	3,400.00
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TOTAL INCREASES	\$12,200.00
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Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication according to law, and the approval of the State Board of Tax Commissioners.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 40, 1971

Introduced by Councilman Leak:

AN ORDINANCE transferring and reallocating the sum of Four hundred fifty dollars (\$450.00) in the City General Fund from certain designated purposes of the Department of Public Safety to certain other designated purposes of that Division, as created by virtue of the Budget for 1971, City-County General Ordinance No. 169, 1970, as amended.

WHEREAS, a necessity has arisen for the acquisition of additional print forms for the Weights and Measures Division which will require an expenditure in excess of the appropriation for the current budget year; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for other purposes of said Division which may be transferred without detriment 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 Four hundred fifty dollars (\$450.00) be, and is hereby, transferred from certain designated appropriations shown

below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:		City General Fund
	DEPARTMENT OF PUBLIC SAFETY Weights and Measures Division	
7. Properties		\$ 450.00
	TOTAL REDUCTIONS	<u>\$ 450.00</u>
INCREASE:		City General FUND
	DEPARTMENT OF PUBLIC SAFETY Weights and Measures Division	
3. Supplies		\$ 450.00
	TOTAL INCREASES	<u>\$ 450.00</u>

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

CITY-COUNTY APPROPRIATION ORDINANCE
NOS. 41, 42 and 43, 1971

Introduced by Councilman Cottingham:

CITY-COUNTY APPROPRIATION ORDINANCE NO. 41, 1971

AN ORDINANCE transferring and reallocating the sum of Sixty four thousand three hundred fifty eight dollars and fifty two cents (\$64,358.52) in the County Fund from certain designated purposes of the Presiding Judge of Municipal Courts, the Marion County Jail, and the Decatur Township Assessor to certain other designat-

ed purposes of those offices, as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended.

WHEREAS, a necessity arises for the transfer for certain funds in the Budget of the Presiding Judge of the Municipal Courts to enable the clinical, psychological examinations for said Courts to be provided on a contractual basis in lieu of the prior arrangement for use of a salaried psychologist; and

WHEREAS, a necessity exists for the appropriation of additional monies for food for prisoners in the Marion County Jail due to price increases and increased inmate population; and

WHEREAS, a necessity exists for the transfer of funds to enable the Decatur Township Assessor to pay for attendance at the International Conference of Assessment Administration; and

WHEREAS, there are available certain unencumbered and unexpended monies appropriated for other purposes of said Departments which may be transferred 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 Sixty four thousand three hundred fifty dollars and fifty two cents (\$64,358.52) 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 to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:	County Fund
PRESIDING JUDGE, MUNICIPAL COURT	
100. Services, Personal	\$ 5,000.02
MARION COUNTY JAIL	
100. Services, Personal	58,958.50
DECATUR TOWNSHIP ASSESSOR	
100. Services, Personal	400.00
TOTAL REDUCTIONS	<u>\$64,358.52</u>

INCREASE:	County Fund
PRESIDING JUDGE, MUNICIPAL COURT	
200. All other operating expenses	\$ 5,000.02
MARION COUNTY JAIL	
200. All other operating expenses	58,958.50
DECATUR TOWNSHIP ASSESSOR	
200. All other operating expenses	400.00
TOTAL INCREASES	<u>\$64,358.52</u>

Section 2. This ordinance shall be in full force and effect from and after its passage.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 42, 1971

AN ORDINANCE appropriating and transferring the sum of Two hundred forty eight thousand five hundred dollars (\$248,500.00) in the County Welfare Fund from the Unappropriated County Welfare Fund and from certain other designated appropriations of the Marion County Department of Public Welfare to certain other designated purposes of that Department, as created by virtue of the Budget for 1971, City-County General Ordinance No. 174, 1970, as amended.

WHEREAS, a necessity has arisen for the expenditure of additional funds for purposes of the Marion County Department of Public Welfare; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for certain purposes of the Marion County Department of Public Welfare and unappropriated funds in the County Welfare Fund in sufficient amount which may be transferred without detriment 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 Two hundred forty eight thousand five hundred dollars (\$248,500.00) be, and the same is hereby, transferred from certain designated appropriations shown below under the head-

ing REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes shown below under the heading INCREASE, as follows to-wit:

	COUNTY WELFARE FUND
REDUCE:	
MARION COUNTY DEPARTMENT OF PUBLIC WELFARE	
200—All other operating expenses	\$ 72,000.00
UNAPPROPRIATED COUNTY WELFARE FUND	176,500.00
TOTAL REDUCTIONS	<u>\$248,500.00</u>

	COUNTY WELFARE FUND
INCREASE:	
MARION COUNTY DEPARTMENT OF PUBLIC WELFARE	
100—Services, Personal	\$ 3,000.00
200—All other operating expenses	6,500.00
400—Current Charges	235,500.00
600—Properties	3,500.00
TOTAL INCREASES	<u>\$248,500.00</u>

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 43, 1971

AN ORDINANCE appropriating and transferring the sum of Five thousand dollars (\$5,000.00) in the County General Fund from certain designated expenses of the County Auditor to certain designated purposes of Criminal Court 1, as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended, and declaring an emergency.

WHEREAS, an emergency exists in the office of Criminal Court 1, in that the appropriation for witness fees is depleted; and

WHEREAS, an appropriation of additional funds for witness fees is

necessary in order that the Court may fulfill its statutory duties for the remainder of the year; and

WHEREAS, there are available certain unencumbered and unexpended monies appropriated for the County Auditor which may be transferred without detriment in sufficient amount 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 dollars (\$5,000.00) be, and the same is hereby, transferred from the unappropriated County General Fund, as shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain designated purposes shown below under the heading INCREASE as follows, to-wit:

REDUCE:		COUNTY FUND
	COUNTY AUDITOR	
400—Current Charges		\$5,000.00
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	TOTAL REDUCTIONS	\$5,000.00
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INCREASE:		COUNTY FUND
	CRIMINAL COURT 1	
100—Services, Personal		\$5,000.00
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	TOTAL INCREASES	\$5,000.00
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Section 2. This ordinance shall be in full force and effect from and after its passage.

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

CITY-COUNTY GENERAL ORDINANCES

CITY-COUNTY GENERAL ORDINANCE
NOS. 189, 190 and 191, 1971

Introduced by Councilman Byrum:

CITY-COUNTY GENERAL ORDINANCE NO. 189, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis 1951, as amended, and more particularly Title 4, Chapter 9, Section 902 thereof, TWO-HOUR PARKING METER ZONES, 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 9, Section 902 thereof, TWO-HOUR PARKING METER ZONES, be, and the same is hereby, amended by the addition of the following:

Department of Transportation's Off-Street Parking Lot, 26th Street and Northwestern Avenue. Forty (40) Meters

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.

CITY-COUNTY GENERAL ORDINANCE NO. 190, 1971

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 deletion of the following:

Preferential	Stop
56th Street Georgetown Rd.	Arlington Ave. 25th Street

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

CITY-COUNTY GENERAL ORDINANCE NO. 191, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis 1951, as amended, and more particularly Title 4, Chapter 13, Section 1303(2), TRUCKS ON CERTAIN ROADS RESTRICTED, 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 13, Section 1303(2) thereof, TRUCKS ON CERTAIN ROADS RESTRICTED, be, and the same is hereby, amended by the addition of the following:

Road	From	To
North Delaware St.	E. 91st Street	E. 96th Street
Washington Blvd.	E. 91st Street	E. 96th Street
Central Ave.	E. 91st Street	E. 96th Street
E. 95th Street	College Ave.	Pennsylvania Street

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601, of the Municipal Code of Indianapolis 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from

and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

CITY-COUNTY GENERAL ORDINANCE NO. 194, 1971

Introduced by Councilman McPherson:

AN ORDINANCE to amend Title 7 of the Code of Indianapolis and Marion County, 1970, providing for the licensing of book stores and magazine stands.

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

Section 1. The Code of Indianapolis and Marion County 1970 is hereby amended by adding an additional chapter numbered 25 as follows:

CHAPTER 25

BOOK STORES AND MAGAZINE STANDS

7-2501. Definitions.—(1) Book store or magazine stand — The term Book Store or Magazine Stand shall mean any place of business that derives its main source of revenue from the sale of reading material commonly known as newspapers, paper backs, periodicals, magazines, hard bound books, leaflets, newsletters, digests, manuals, brochures, novels, literature, literary guides, atlas, reports, encyclopedia testimonials, transcripts, documentaries, records, etc.

(2) Natural or unnatural sex act—For the purposes of this ordinance, the term “natural or unnatural sex act” shall mean sado-masochistic abuse, sexual conduct, sexual excitement or genital contact in any manner by human or animal.

(a) “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.

(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.

7-2502. License required.—It shall be unlawful for any person, partnership, corporation or group of individuals to maintain a book store, newsstand, or magazine stand in any room, public place or place of public accommodation where the public is admitted to the premises by an admission charge or freely admitted, within the Consolidated City of Indianapolis, without first obtaining a license from the City Controller.

7-2503. Application.—(1) Every applicant for a license under this chapter shall file with the Controller a written application stating the full name and resident address of the applicant and/or his associates, the state in which any artificial person is organized, and the names and addresses of all persons who will be in charge of the licensed business.

(2) The application shall also state the following:

(a) The street address of the premises to be licensed.

(b) The age of the applicants in the case of individuals, and the age of the manager and officers in the case of an artificial person.

(c) The name and address of the owner of the premises in which said book store, newsstand or magazine stand is located.

(d) If any of the preceding information is changed for any reason (i.e., owner change, operator change, etc.) written notification must be made to the Controller within five (5) days or it shall be grounds for immediate revocation.

The application shall be signed by the applicant or applicants, or in the case of an artificial person, the application shall be signed by its officers.

7-2504. Investigation, rejection, notification.—The Controller, before issuing a license, shall investigate the character of the applicant or applicants and the officers or manager of the business. The application shall be rejected if the Controller shall find that any of the persons named in the application are not of good moral character or that any of said persons have been arrested and convicted, or that any of said persons have previously been connected with any book store, newsstand or magazine stand, where the license has been revoked, denied or suspended, or if the book store, newsstand or magazine stand sought to be licensed does not comply in every way with this ordinance and the laws applicable thereto, or if the premises fails to meet the inspection of the Building Commission and the Fire Prevention Bureau. The applicant for such license shall be notified in writing of the reasons for rejection.

7-2505. Material prohibited.—It shall be unlawful for any material to be sold, rented or leased through the premises that is considered obscene, pornographic, lewd, or that displays any part of the body unclothed from the waist down or that displays any human or animal engaged in a natural or unnatural sex act, a drawing, sketch, painting or picture or the sale of any device, instrument, figurine, statue, or model, that represents any part of the anatomy, that may be used for any natural or unnatural sex act or any of the aforementioned items which symbolizes any part of the anatomy or a natural or unnatural sex act or have any machines that are coin operated, manually operated, mechanically operated or electronically operated that produce a picture, drawing, sketch, painting or symbol of the anatomy or of a human and/or animal engaged in a natural or unnatural sex act or the sale, leasing or renting of any motion picture or movie film that is used in a projector for producing images upon a wall, screen or substance that show or exhibit any part of the anatomy or of a human and/or animal engaged in a natural or unnatural sex act.

It shall be grounds for revocation of this license, by the Controller, for any of the aforementioned material to be knowingly sold on the licensed premises.

7-2506. License fee.—The Controller shall collect from each applicant a license fee of \$50.00 plus \$10.00 Building Inspection fee plus \$2.00 issuance fee for each and every book store, newsstand and magazine stand or shop.

Section 2. Violations of this ordinance shall be subject to the

penalties of Section 1-601 of the Code of Indianapolis and Marion County, 1970.

Section 3. This ordinance shall be in full force and effect from and after October 1, 1971.

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

CITY-COUNTY GENERAL ORDINANCE
NOS. 195 through 206, 1971

Introduced by Councilman Egenes:

G.O. NO. 195, 1971—

71-Z-114 Warren M. & Ruth V. Lutz by Thomas Winthrow, Attorney, One Indiana Square #2430, request rezoning of 0.11 acre, being in D-5 district, to C-7 classification to provide for a body shop. Located 2209-2211 North Gale Street, Indianapolis, Center Township.

G.O. NO. 196, 1971—

71-Z-123 Edwin & Dorothy L. Carey by Michael J. Kias, Attorney, 3037 South Meridian St. request rezoning of 68.40 acres, being in A-2 district, to D-4 classification to provide for residential use by platting. Located 300 West County Line Road, Indianapolis, Perry Township.

G.O. NO. 197, 1971—

71-Z-131 Harold F. & Gertrude Crafton by Raymond Good, Attorney, 5972 Madison Ave. request rezoning of 2.36 acres, being in A-2 district, to C-1 classification to provide for professional offices Located 1515 East Southport Road, Indianapolis, Perry Township.

G.O. NO. 198, 1971—

71-Z-133 William G. & Dorothy Speropoulos, et al by James L.

Tuohy, Attorney, One Indiana Square No. 1930, request rezoning of 1.74 acres, being in D-2 district, to C-1 classification to provide for a Drive-up bank. Located 702 East 86th St., Indianapolis, Washington Township.

G.O. NO. 199, 1971—

71-Z-140 Louis Darko & Jack B. Kammins, Attorney, 412 Union Federal Bldg. request rezoning of 1.08 acres, being in SU district, to C-4 classification to provide for commercial use. Located 4880-90 Crawfordsville Road, Speedway, Wayne Township.

G.O. NO 200, 1971—

71-Z-143 Ermal P. & Yvonne M. Gray by C. Keith Pettigrew, Attorney, 600 Bankers Trust Bldg. request rezoning of 0.98 acre, being in D-5 district, to C-2 classification to provide for an addition to motel. Located 11200 East Washington St., Indianapolis, Warren Township.

G.O. NO. 201, 1971—

71-Z-145— The Board of School Commissioners of the City of Indianapolis by Nolan E. Allen, 120 East Washington St. by Wilson S. Stober, Attorney, 810 Fletcher Trust Bldg. requests rezoning of 17.20 acres, being in D-5 district, to SU-2 classification to provide for a middle school. Located 4501 East 32nd Street, Indianapolis, Center Township.

G.O. NO. 202, 1971—

71-Z-149 Carl J. Verplank & Harold G. Lambert, R.R. 1, Box 52, Carmel, Indiana by Ben J. Hatfield, Attorney, 120 East Market St. request rezoning of 22.03 acres, being in A-2 district, to C-7 classification to provide for indoor sale of marine equipment and boats and outdoor storage of heavy construction equipment. Located 300 South Franklin Road, Indianapolis, Warren Township.

G.O. NO. 203, 1971—

71-Z-153 American Aggregates Corporation by Mark W. Gray, 11 North Pennsylvania St. requests rezoning of 64.30 acres, being

in A-2 district, to D-6 II classification to provide for garden apartments and townhouses. Located 7701 North Keystone Ave., Indianapolis, Washington Township.

G.O. NO. 204, 1971—

71-Z-158 The Metropolitan Development Commission, 2041 City-County Bldg. proposes rezoning 3.24 acres, being in A-2 district, to SU-9 classification to provide for the construction of a State Highway Department truck storage garage and salt storage building to provide maintenance service to state highway and interstate routes. Located 7150 Lafayette Road, Indianapolis, Pike Township.

G.O. NO. 205, 1971—

71-Z-159 The Metropolitan Development Commission, 2041 City-County Bldg. proposes rezoning 3.00 acres, being in A-2 district, to SU-9 classification to provide for the construction of a State Highway Department truck storage and salt storage building to provide maintenance service to state highway and interstate routes. Located 6502 East 75th Street, Indianapolis, Lawrence Township.

G.O. NO. 206, 1971—

71-AO-3 The Metropolitan Development Commission of Marion County, Indiana, proposes amendment to Marion County Council Ordinance No. 8-1957, as amended, and all zoning ordinances and zoning maps adopted as parts thereof, by the adoption of Ordinance 71-AO-3, the FLOOD CONTROL DISTRICTS ZONING ORDINANCE of Marion County, Indiana establishing secondary Flood Control Zoning Districts (FW) Floodway and (FP) Flood Plain, zoning certain land to said secondary District classification as set forth and described in said Ordinance and Flood Control District Zoning Maps.

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

SPECIAL RESOLUTIONS

CITY-COUNTY SPECIAL RESOLUTION
NOS. 31 and 32, 1971

Introduced by Councilman McPherson:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1971

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

WHEREAS, the Board of Public Works on August 2, 1971, adopted BOARD OF PUBLIC WORKS RESOLUTION NO. 2040-1971, 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. 2040-1971 is hereby approved and the following described territory is incorporated into the Sanitary District of the City of Indianapolis, to wit:

Part of the Northwest one-quarter of Section 7, Township 14 North, Range 4 East; also part of the North East one quarter of Section 12 and part of the South East one-quarter of Section 1, Township 14 North, Range 3 East in Marion County, Indiana, being more particularly described as follows:

Beginning at the North West corner of said Section 7; said north west corner also being the intersection of Stop 8 Road and Shelby Street; running thence East upon and along the north line of said Section 7 a distance of 287.3 feet to a point; thence south parallel to the West line of said Section 7 a distance of 356.00 feet more or less; thence west parallel to the north line of said Section 7 a distance of 23.80 feet; thence south parallel to the west line of said Section 7 a distance of 120.00 feet; thence west parallel to the north line of said Section 7

a distance of 263.50 feet to a point on the west line of said Section 7; thence south upon and along said west line a distance of 30.00 feet; thence East parallel to the north line of said Section 7 a distance of 507.47 feet; thence south parallel to the west line of said Section 7 a distance of 554.10 feet; thence west parallel to the north line of said Section 7 a distance of 507.47 feet to a point on the west line of said Section 7, said west line also being the East line of the Northeast one-quarter of Section 12 and the centerline of Shelby Street; thence continuing west a distance of 25.00 feet to a point on the west right-of-way line of Shelby Street; thence north upon and along said west right-of-way a distance of 5.00 feet to a point, said point being the north east corner of Lot Number 43 in Banta's Southwood Addition, 2nd, Section; thence west upon and along the North line of said Addition a distance of 1020.00 feet; thence north parallel to the East line of Section 12 a distance of 183.70 feet to a point on the centerline of Woodhill Drive; thence East upon and along said centerline a distance of 13.30 feet; thence North parallel to the East line of said Section 12 a distance of 105.00 feet; thence East parallel to the north line of said Section 12 a distance of 211.70 feet to a point on the centerline of Manker Street; thence North upon and along said centerline of Manker Street to a point, said point being 240.00 feet South of the North line of said Section 12; thence west parallel to the said North line of Section 12 a distance of 425.00 feet to the centerline of Camden Street; thence North upon and along said centerline of Camden Street to its intersection with the centerline of Stop 8 Road (Edgewood Avenue); thence East upon and along said centerline of Stop 8 Road to its intersection with Shelby Street, said centerline—centerline intersection being the North West corner Section 7, Township 14 North, Range 4 East, the point of beginning of this description.

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

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1971

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

WHEREAS, the Board of Public Works on August 2, 1971, adopted BOARD OF PUBLIC WORKS RESOLUTION NO. 2041-1971,

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. 2041-1971 is hereby approved and the following described territory is incorporated into the Sanitary District of the City of Indianapolis, to wit:

Part of the south east one-quarter of Section 28, Township 16 North, Range 2 East in Marion County, Indiana, being more particularly described as follows:

Beginning at a point on the east line of said south east quarter a distance of 594.55 feet (measured, deed distance 597.20 feet) north of the south east corner of said Quarter Section; thence North 74 degrees, 19 minutes, 00 seconds west a distance of 774.34 feet; thence South 15 degrees, 41 minutes, 00 seconds West a distance of 20.00 feet; thence north 74 degrees, 19 minutes, 00 seconds West a distance of 948.56 feet; thence North 00 degrees, 15 minutes, 00 seconds West a distance of 629.35 feet; thence South 71 degrees, 53 minutes, 30 seconds East a distance of 547.57 feet; thence North 89 degrees, 44 minutes, 00 seconds East a distance of 344.07 feet; thence North 59 degrees, 44 minutes, 00 seconds East a distance of 418.02 feet; thence South 19 degrees, 23 minutes, 00 seconds East a distance of 174.72 feet; thence north 70 degrees, 37 minutes, 00 seconds East a distance of 60.00 feet; thence North 58 degrees, 20 minutes, 00 seconds East a distance of 109.00 feet; thence North 89 degrees, 46 minutes, 00 seconds East a distance of 234.00 feet to a point on the East line of the said south east quarter section; thence South 00 degrees East upon

and along said East line a distance of 1031.18 feet to the point of beginning.

This description includes Lots numbered 65 thru 91, both inclusive in Gray Meadows, Third Section, as recorded under Instrument No. 67-44928 and Lots numbered 92 thru 120, both inclusive, in Gray Meadows, Fourth Section, as recorded under Instrument No. 68-26379 in the Office of the Recorder of Marion County, Indiana (Wayne Township)

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

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

ORDINANCES ON SECOND READING

Mr. Leak called for a second reading of City-County Appropriation Ordinance No. 37, 1971.

The Clerk read the ordinance for the second time.

Mr. Leak reported that the Committee on Public Safety recommended passage of this ordinance.

After discussion of the ordinance, Mr. Leak moved, seconded by Mr. McPherson, to amend the ordinance as distributed, which reads as follows:

CITY-COUNTY APPROPRIATION ORDINANCE NO. 37, 1971, AS AMENDED

AN ORDINANCE appropriating and transferring the sum of Three hundred ninety-four thousand five hundred nine dollars (\$394,509.00) in the City General Fund from the unappropriated City General Fund to certain designated purposes of the Department of Public Safety, Alcohol Safety Action Project, as created by virtue of the Budget for 1971, City-County General Ordinance No. 169, 1970, as amended.

WHEREAS, the United States Department of Transportation has funded an Alcohol Safety Action Project to be administered through the Department of Public Safety of the City of Indianapolis; and

WHEREAS, it is necessary to appropriate certain monies for the budget of said program through the end of 1971; and

WHEREAS, the monies to be spent will be reimbursed by the United States Department of Transportation and there are, therefore, monies available unencumbered and unexpended in the City General Fund which may be transferred without detriment in sufficient amounts to meet such necessity;

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 ninety-four thousand five hundred nine dollars (\$394,509.00) be, and the same is hereby, transferred from the unappropriated City General Fund as shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes as shown below under the heading INCREASE, as follows, to-wit:

REDUCE:	CITY GENERAL FUND
Unappropriated City General Fund	\$394,509.00
	<hr/>
TOTAL REDUCTIONS	\$394,509.00
	<hr/>

INCREASE:	CITY GENERAL FUND
	DEPARTMENT OF PUBLIC SAFETY
	Alcohol Safety Action Project
1—Services, personal	\$ 55,175.00
2—Services, contractual	324,344.00
3—Supplies	2,100.00
5—Current Charges	2,000.00
7—Properties	10,890.00
	<hr/>
TOTAL INCREASES	\$394,509.00
	<hr/>

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

After discussion of the ordinance, Mr. Leak moved, seconded by Mr. McPherson, for the passage of City-County Appropriation Ordinance No. 37, 1971, as amended.

The ordinance, as amended, passed on the following roll call vote:

Ayes 10, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas and President Hasbrook.

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

Mr. Leak called for a second reading of City-County Appropriation Ordinance No. 38, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Leak moved, seconded by Mr. Gorham, for the passage of City-County Appropriation Ordinance No. 38, 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Leak called for a second reading of City-County General Ordinance No. 135, 1971.

The Clerk read the ordinance for the second time.

Mr. Leak moved, seconded by Mr. Brown, to strike City-County General Ordinance No. 135, 1971.

The ordinance was stricken on the following roll call vote:

Ayes 9, viz: Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. Neal and President Hasbrook.

Noes 4, viz: Mr. Boyd, Mr. Gorham, Mr. McPherson, and Mr. SerVaas.

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

The Clerk read the ordinance for the second time.

Mr. Leak moved, seconded by Mr. Neal, for the passage of Special 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Leak called for a second reading of City-County Special Ordinance No. 4, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Leak moved, seconded by Mr. Gorham, for the passage of City-County Special Ordinance No. 4, 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Leak called for a second reading of City-County Special Ordinance No. 7, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Leak moved, seconded by Mr. Neal, for the passage of City-County Special Ordinance No. 7, 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Egenes moved, seconded by Mr. Byrum, to remove from the table, General Ordinance No. 146, 1971, which passed by unanimous voice vote.

Mr. Egenes called for a second reading of City-County General Ordinance No. 146, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, to amend General Ordinance No. 146, 1971, by including covenants agreed upon by the petitioners.

The motion to amend passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 146, 1971, as amended.

The ordinance, as amended, passed on the following roll call vote:

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

Mr. Egenes called for a second reading of City-County General Ordinance Nos. 165, 166, 168-176, 1971, requesting that General Ordinance No. 164 be held.

The Clerk read the ordinances for the second time.

Requests were made to call General Ordinance Nos. 167, 174 and 177 on separate roll calls.

Mr. Egenes moved, seconded by Mr. Byrum, for the

passage of City-County General Ordinance Nos. 165, 166, 168 thru 173, 175 and 176, 1971.

The ordinances 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. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Egenes called for second reading of City-County General Ordinance No. 167, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, to amend General Ordinance No. 167, 1971, to read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 1971
AS AMENDED

Docket No. 71-Z-110

AN ORDINANCE to amend County Council Ordinance No. 8-1957, as amended, and the Zoning Ordinance for Marion County, Indiana, 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 MARION COUNTY, INDIANA

Section 1. That Marion County Council Ordinance No. 8-1957, the Commercial Zoning Ordinance and the zoning maps of the Commercial Zoning Ordinance, as amended, adopted pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, be amended in the following particulars:

That the following described real estate in Marion County, Indiana, is hereby zoned to the C-3 zoning district classification of said Commercial Zoning Ordinance.

Part of the East Half of the West Half of the Southeast Quarter of Section 18, Township 16 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Beginning on the East line of the said Half Half Quarter Section, North 00 degrees 29 minutes 21 seconds West 485.63 feet from the Southeast corner thereof; thence North 00 degrees 29 minutes 21 seconds West along the East line of the said Half Half Quarter Section 129.56 feet; thence South 89 degrees 30 minutes 39 seconds West 343.59 feet to the West line of land set out in "Contract", as recorded in the year of 1961, Instrument #114742, in the office of the Recorder of Marion County, Indiana; thence South 06 degrees 58 minutes 02 seconds East along the West line of land set out in the said "Contract" 130.39 feet to a line which bears South 89 degrees 30 minutes 39 seconds West from the place of beginning; thence North 89 degrees 30 minutes 39 seconds East 328.88 feet to the place of beginning, containing 1.000 Acre, more or less.

Subject, however, to highways and rights of way.

The motion to amend passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of City-County General Ordinance No. 167, 1971, as amended.

The ordinance passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Gorham was out of the Council Chambers when the roll was called.

Mr. Egenes called for a second reading of City-County General Ordinance No. 174, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Gorham, to amend the ordinance, to a D-3 classification instead of a D-4.

The motion to amend passed by voice vote.

Mr. Egenes moved, seconded by Mr. Cottingham for the passage of City-County General Ordinance No. 174, 1971, as amended.

The ordinance, as amended, passed on the following roll call vote:

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

Mr. Egenes called for a second reading of City-County General Ordinance No. 177, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of General Ordinance No. 177, 1971.

The ordinance was defeated on the following roll call vote:

Ayes 4, viz: Mr. Brown, Mr. Egenes, Mr. SerVaas and President Hasbrook.

Noes 9, viz: Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Cottingham, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, and Mr. Neal.

Mr. Egenes stated that the committee was holding General Ordinance No. 185, 1971. He called for a second reading of City-County General Ordinance Nos. 180 thru 184, 186, 187 and 188, 1971, which were introduced via committee on August 11, 1971, and read as follows:

GENERAL ORDINANCE NOS. 180 - 188, 1971

G.O. NO. 180, 1971—

71-Z-116 Emmett G. & Nellie A. Fowler by Jack B. Kammins, attorney, 412 Union Federal Bldg. request rezoning of 2.37 acres, being in A-2 & C-2 districts, to C-4 classification to provide for the construction of retail stores & general businesses. Located 3351 North Shadeland Avenue, Indianapolis, Warren Township.

G.O. NO. 181, 1971—

71-Z-121 Gateway Corp. by William F. LeMond, attorney, 412 Union Federal Bldg. requests rezoning of 8.05 acres, being in A-2 district, to D-7 classification to provide for the development of a multi-family housing complex. Located 4502 North High School Road, Indianapolis, Pike Township.

G.O. NO. 182, 1971—

71-Z-122 Gateway Corp. by William F. LeMond, attorney, 412 Union Federal Bldg. requests rezoning of 37.68 acres, being in A-2 district to D-7 classification to provide for the construction of a multi-housing complex. Located 4402 North High School Road, Indianapolis, Pike Township.

G.O. NO. 183, 1971—

71-Z-132 J. I. Askren, 2222 D. Rome Drive requests rezoning of 4.63 acres, being in A-2 district, to C-2 classification to permit a motel. Located at the northeast corner of East 21st Street & Shadeland Indianapolis, Warren Township, (7000 East 21st Street).

G.O. NO 184, 1971—

71-Z-135 Naiman Marion Development Co. by Sam J. Vecchio, Secy., 26050 Richmond Road by Bulen & Castor, Attorneys, 1106 Indiana Bldg. requests rezoning of 36.98 acres, being in D-4, I-2-S & I-3-S districts, to I-2-S classification to provide for industrial use. Located 4744 Southern Ave., Indianapolis, Wayne Township.

G.O. NO. 185, 1971—

71-Z-136 Paul H. Fox, R.R. 1, Box 386, New Palestine, Indiana by John A. Kitley, Attorney, 380 Main Street, Beech Grove, Indiana requests rezoning of 20.52 acres, being in A-2 district, to D-11 classification to provide for a Mobile Home Park. Located 2150 East County Line Road, Indianapolis, Warren Township.

G.O. NO. 186, 1971—

71-Z-137 Justus Investment Co., Inc. by Henry Y. Dein, Attorney, One Indiana Square #2050, requests rezoning of 6.37 acres, being in A-2 district, to D-3 classification to provide for residential use by platting. Located 10301 East 30th Street, Indianapolis, Warren Township.

G.O. NO. 187, 1971—

71-Z-138 East Twenty-First Street Development Co. by James W. Beatty, Attorney, 500 Union Federal Bldg. requests rezoning of 29.47 acres, being in D-6 II district, to D-4 classification to provide for residential use by platting. Located 9650 East 42nd Street, Indianapolis, Lawrence Township.

G.O. NO. 188, 1971—

71-Z-139 The Top Construction Corp. by John A. Pappas, 2024

Southeastern Ave. requests rezoning of 1.03 acres, being in D-7 district, to D-5 classification to provide for residential use by platting. Located 3501 West Vermont St., Indianapolis, Wayne Township.

The Clerk read the ordinances for the second time.

Mr. Cottingham requested a separate roll call for General Ordinance No. 188, 1971.

Mr. Egenes moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance Nos. 180 through 184, and 186 and 187, 1971.

The ordinances 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. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of City-County General Ordinance No. 188, 1971.

The ordinance was defeated on the following roll call vote:

Ayes 4, viz: Mr. Byrum, Mr. Egenes, Mr. SerVaas and President Hasbrook.

Noes 9, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson and Mr. Neal.

Mr. Egenes called for a second reading of City-County Special Resolution No. 29, 1971.

The Clerk read the resolution for the second time.

After discussion, Mr. Egenes moved, seconded by Mr. Byrum, for the passage of City-County Special Resolution No. 29, 1971.

The resolution 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. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Egenes called for a second reading of City-County Special Resolution No. 30, 1971.

Mr. Egenes moved, seconded by Mr. Leak, to amend Special Resolution No. 30, 1971 as follows:

Indianapolis, Ind., August 23, 1971

Mr. President:

I move that City-County Special Resolution No. 30, 1971, be amended by inserting in line 2 of Section 2 after the word "passage" the following:

“, approval and concurrence by the Fire Special Services District Council,”

HAROLD J. EGENES
Councilman

Mr. Leak moved, seconded by Mr. Brown, to table Special Resolution No. 30, 1971, as amended.

The motion to table passed by voice vote.

Mr. Byrum called for a second reading of City-County General Ordinance No. 158, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Gorham, for the passage of General Ordinance No. 158, 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. Byrum called for a second reading of City-County General Ordinance No. 159, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Byrum moved, seconded by Mr. Egenes, for the passage of City-County General Ordinance No. 159, 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. Forestal,

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

Mr. Byrum called for a second reading of General Ordinance No. 161, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Gorham, for the passage of City-County General Ordinance No. 161, 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. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

OLD BUSINESS

Mr. Brown requested a legal opinion on a vacated council district.

Mr. Elrod will confer with Mr. Kohlmeyer on the legal opinion.

NEW BUSINESS

Mr. Egenes announced that a Fire Special Service District Council meeting would be held immediately after adjournment of this meeting.

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

recess until August 24th at 4:30 P.M. for the introduction of the budget ordinances.

The motion was carried by a voice vote.

The council recessed at 8:45 P.M.

The council reconvened at 5:30 P.M. on August 24, 1971, in the Council Chambers, Room 221, of the City-County Building.

President Hasbrook in the chair.

Absent: Mr. Boyd, Mr. Leak, Mr. SerVaas and Rev. Williams.

Mr. Byrum moved, seconded by Mr. Gorham, to return to the reading of communications and first reading of ordinances in the regular order of business.

The motion was carried by unanimous voice vote.

President Hasbrook called for communications from the Mayor and other City-County Officials.

COMMUNICATIONS FROM THE MAYOR AND OTHER CITY-COUNTY OFFICIALS

August 24, 1971

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

Gentlemen:

Presented herewith for your review and consideration is the op-

erating budget for the Consolidated City of Indianapolis for the fiscal year January 1 to December 31, 1972, with the figures approved to me for introduction by Mayor Richard G. Lugar.

Sincerely,

FRED L. ARMSTRONG
City Controller

August 24, 1971

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of the following city-county ordinances.

GENERAL ORDINANCE NO. 192, 1971, adopting the City-County Annual Budget for 1972, appropriating all amounts necessary to defray expenses for the operation of every facet of consolidated government of the City of Indianapolis and of Marion County for the calendar and fiscal year beginning January 1, 1972 and ending December 31, 1972.

GENERAL ORDINANCE NO. 193, 1971, levying taxes and fixing the Rate of Taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1972.

WILLIAM K. BYRUM
Councilman

President Hasbrook called for introduction of new ordinances.

INTRODUCTION OF NEW ORDINANCES
CITY-COUNTY GENERAL ORDINANCES

Introduced by Councilman Byrum

CITY-COUNTY GENERAL ORDINANCE NO. 192, 1971

CITY-COUNTY ANNUAL BUDGET FOR 1972

AN ORDINANCE adopting the City-County Annual Budget for 1972, appropriating all amounts necessary to defray expenses for the operation of every facet of consolidated government of the City of Indianapolis and of Marion County for the calendar and fiscal year beginning January 1, 1972 and ending December 31, 1972.

CITY-COUNTY GENERAL ORDINANCE NO. 193, 1971

INDIANAPOLIS AND MARION COUNTY
TAX LEVIES FOR 1972

AN ORDINANCE levying taxes and fixing the Rate of Taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1972.

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

OLD BUSINESS

Mr. Cottingham moved, seconded by Mr. Byrum, to reconsider City-County General Ordinance No. 177, 1971.

The motion was carried on the following roll call vote.

Ayes 7, viz: Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Neal and President Hasbrook.

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

After discussion, Mr. McPherson moved, seconded by Mr. Gorham, to refer City-County General Ordinance No. 177, 1971, back to committee.

The motion carried by voice vote.

Mr. Cottingham, moved, seconded by Mr. Byrum, to reconsider City-County General Ordinance No. 188, 1971, and refer the ordinance back to committee.

The motion was carried by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Cottingham, to remove Special Resolution No. 30, 1971, as amended, from the table.

The motion was carried by unanimous voice vote.

Mr. Egenes called for third reading of Special Resolution No. 30, 1971 as amended.

The Clerk read the resolution for the third time.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of Special Resolution No. 30, 1971, as amended.

The resolution passed on the following roll call vote.

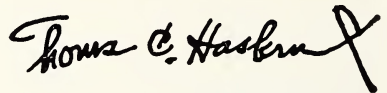
Ayes 8, viz: Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson and President Hasbrook.

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

Mr. Gorham moved to adjourn, seconded by Mr. McPherson, at 6:25 P.M.

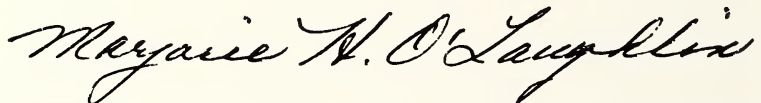
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 23rd and 24th days of August 1971.

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



President

ATTEST



(SEAL)

City Clerk