

REGULAR MEETING

Monday, September 20, 1971, 6:30 P.M.

The Regular Meeting of the City-County Council of the Indianapolis-Marion County convened in the Council Chambers in the City-County Building at 6:30 P.M. on Monday, September 20, 1971.

President Hasbrook in the chair.

The Clerk called the roll.

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cotingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Absent: Mr. Leak and Rev. Williams.

Mr. Gorham moved, seconded by Mr. McPherson, to dispense with the reading of the Journal of the previous meeting, which passed by unanimous voice vote.

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 14, 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 resolutions:

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

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.

GENERAL ORDINANCE NO. 162, 1971, amending the Code, Title 4, Chapter 9, Section 902, Two-Hour Parking Meter Zones, and providing penalties.

GENERAL ORDINANCE NO. 178, 1971, amending the Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 179, 1971, amending the Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 189, 1971, to amend the Code, Title 4, Chapter 9, Section 902, Two-Hour Parking Meter Zones.

GENERAL ORDINANCE NO. 190, 1971, to amend the Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 191, 1971, to amend the Code, Title 4, Chapter 13, Section 1303(2), Trucks On Certain Roads Restricted.

GENERAL ORDINANCE NO. 192, 1971, AS AMENDED,

adopting the City-County Annual Budget for 1972 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.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

September 20, 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. 44, 1971, appropriating \$410.00 in the County Fund from certain designated purposes of Criminal Court Room 2 to certain other designated purposes of that Court.

DWIGHT L. COTTINGHAM
Councilman

GENERAL ORDINANCE NO. 221, 1971, to amend the Municipal Code of Indianapolis 1951, and more particularly Title 4, Chapter 4, Section 403 thereof, Alteration of Prima Facie Speed Limits.

GENERAL ORDINANCE NO. 222, 1971, to amend the Municipal Code of Indianapolis 1951, and more particularly Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 223, 1971, to amend the Municipal Code of Indianapolis 1951, and more particularly Title 4, Chapter 6, Section 602 thereof, One-Way Streets and Alleys.

GENERAL ORDINANCE NO. 224, 1971, to amend the Municipal Code of Indianapolis 1951, and more particularly Title 4, Chapter 8, Section 812 thereof, Parking Prohibited At All Times On Certain Streets.

GENERAL ORDINANCE NO. 225, 1971, to amend the Municipal Code of Indianapolis 1951, and more particularly Title 4, Chapter 5, Section 512, thereof, Left Turns Prohibited at Certain Intersections.

WILLIAM K. BYRUM
Councilman

GENERAL ORDINANCE NOS. 226-238, 1971, rezoning ordinances certified from the Metropolitan Development Commission on September 17, 1971.

HAROLD J. EGENES
Councilman

SPECIAL RESOLUTION NO. 39, 1971, approving the filing of a request for recertification of the City's Workable Program for Community Improvement.

HAROLD J. EGENES
Councilman

SPECIAL RESOLUTION NO. 40, 1971, maintaining financial stability and sound business practices.

THOMAS C. HASBROOK
Councilman

President Hasbrook called for the introduction of new ordinances.

INTRODUCTION OF NEW ORDINANCES

APPROPRIATION ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE

NO. 44, 1971

Introduced by Councilman Cottingham.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 44, 1971

AN ORDINANCE appropriating and reallocating the sum of four hundred ten dollars (\$410.00) in the County Fund from certain designated purposes of Criminal Court Room 2 to certain other designated purposes of that Court as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970 as amended.

WHEREAS, a necessity has arisen for the expenditures of certain monies in excess of the amounts appropriated therefor in the budget of the Criminal Court Room 2 for the year 1971; and

WHEREAS, the transfer of monies for such purposes is necessary for the proper operation of said Court for the remainder of said budget year; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for certain other purposes of Criminal Court Room 2 which may be transferred without detriment 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 Four hundred ten dollars (\$410.00) 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 to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:	COUNTY FUND
CRIMINAL COURT ROOM 2	
100—Services, personal	\$ 110.00
200—All other operating expenses	<u>300.00</u>
Total Reducations	<u>\$ 410.00</u>

INCREASE:	COUNTY FUND
CRIMINAL COURT ROOM 2	
100—Services, personal	\$ 250.00
200—All other operating expenses	110.00
600—Properties	<u>50.00</u>
Total Increases	<u>\$ 410.00</u>

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

September 3, 1971

Marion County Council
Room 822, City-County Building
Indianapolis, Indiana

Gentlemen:

Please transfer the following amounts so that we will have sufficient funds to finish paying on matters out of these accounts:

Transfer \$3,000.00 from fund #147, "Witness Fees", and put in fund #148, "Pauper appeals".

Transfer \$250.00 from fund #363, "Other Office Supplies", and put in fund #141, "Per Diem of Petit Jurors".

Transfer \$250.00 from fund #121, "Extra Help", and put in fund #141, "Per Diem of Petit Jurors".

Transfer \$10.00 from fund #121, "Extra Help", and put in fund #215, Telephone and Telegram".

Transfer \$100.00 from fund #121, "Extra Help", and put in fund #212, Postage".

We would greatly appreciate your consideration of this matter.

Yours respectfully,

SAUL I. RABB, Judge
Marion County Criminal Court
Division Two

August 23, 1971

Marion County Council
Room 822, City County Building
Indianapolis, Indiana

Gentlemen:

Please transfer \$50.00 from Fund 252, Repair and Maintenance of Equipment, to Fund 726, Office Equipment, so that we may purchase two new electric typewriters.

Respectfully yours,

SAUL I. RABB, Judge
Marion County Criminal Court
Division Two

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

GENERAL ORDINANCES

CITY-COUNTY GENERAL ORDINANCE

NOS. 218, 219, 220, 222, and 223, 1971

Introduced by Councilman Byrum.

CITY COUNTY GENERAL ORDINANCE NO. 218, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis 1951, as amended, and more particularly Title 4, Chapter 4, Section 403 thereof, Alteration Of Prima Facie Speed Limits, 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 4, Section 403 thereof, Alteration Of Prima Facie Speed Limits, be, and the same is hereby, amended by the addition of the following:

Street	From	To	Speed Limit Designated
Evanston Avenue	Ruth Drive	75th Street	"30 MPH"

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. 219, 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 109 thereof, Vehicles Must Stop Before Entering Preferential Streets, be, and the same is hereby, amended by the addition of the following:

Preferential	Stop
Evanston Ave	East 75th Place
Doris Drive	Farley Drive
Ingomar Avenue	Lambert 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. 220, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis 1951, as amended, and more particularly Title 4, Chapter 6, Section 602 thereof, One-Way Streets and Alleys, 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 6, Section 602 thereof, One-Way Streets and Alleys, be, and the same is hereby, amended by the addition of the following:

Streets and Alleys	From	To	Direction Traffic Shall Move
11th Street	Capitol Ave.	Delaware St.	East
12th Street	Delaware St.	Capitol Ave.	West
13th Street	Delaware St.	Pennsylvania	West
14th Street	Pennsylvania	Delaware	East

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. 222, 1971

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
Capitol	Both	Louisiana	McCarty
Illinois	West	Merrill	Louisiana
Illinois	Both	McCarty	Merrill
McCarty	Both	Kentucky	East
Merrill	Both	Capitol	Illinois
Norwood	Both	1st alley west of Illinois	Russell
Twin Oaks Drive	South	Shadeland Ave.	1200 ft. east of Shadeland Ave.
Kensington Drive	South	Shadeland Ave.	1200 ft. east of Shadeland Ave.
11th Street	Both	Penn Central RR	Delaware
12th Street	Both	Penn Central RR	Delaware
Capitol	Both	12th Street	11th Street
Illinois	Both	11th Street	12th Street
Meridian	Both	12th Street	Ohio
Pennsylvania	Both	11th Street	12th Street
Delaware	Both	11th Street	12th Street
13th Street	Both	Pennsylvania	Delaware
14th Street	Both	Pennsylvania	Delaware

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. 223, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis 1951, as amended, and more particularly Title 4, Chapter 5, Section 512 thereof, Left-Turns Prohibited At Certain Intersections, 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 5, Section 512 thereof, Left-Turns Prohibited At Certain Intersections, be, and the same is hereby, amended by the addition of the following:

Vehicle Traveling Upon	Direction Vehicle Traveling	Intersecting Street or Place	Direction of Turn Which is Prohibited
Russell Avenue 11th Street	North East	Merrill Illinois	Left (Westbound) Left (Northbound)

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.

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

CITY-COUNTY GENERAL ORDINANCE
NOS. 226 through 238, 1971

Introduced by Councilman Egenes.

G. O. No. 226, 1971

71-Z-141 George A. & Frances C. Yotter, Martin H. Miller, Ed-

ward L. & Jean K. Spitzer, Carl D. & Florence Kleine by Marvin Mitchell, Attorney, 2220 North Meridian St. request rezoning of 14.80 acres, being in C-3 & D-2 districts, to C-4 classification to provide for commercial use. Located 8235-8335 East Washington St., Indianapolis, Warren Township.

G. O. NO. 227, 1971

71-Z-142 Wurster Enterprises by Fred C. Wurster, 1106 Indiana Building, 120 East Market St. requests rezoning of 38.30 acres, being in A-2 district, to I-2-S classification to provide for a light industrial park. Located 4001 West 71st Street, Indianapolis, Pike Township.

G. O. No. 228, 1971

71-Z-146 Richard A. West by Charles T. Gleason, Attorney, 1930 Indiana Tower, 1 Indiana Square requests rezoning of 4.902 acres, being in SU-34 district, to C-5 classification to provide for commercial use. Located 3910 Georgetown Road, Indianapolis, Pike Township.

G. O. No. 229, 1971

71-Z-154 The Top Construction Corp. by Merrill Moores, Attorney, 15 East Washington St. #719, requests rezoning of 13.60 acres, being in D-6 district, to 4-4 classification to provide for residential use by platting. Located 2225 Mitthoeffer Road, Indianapolis, Warren Township.

G. O. NO. 230, 1971

71-Z-163 Arthur Ferguson, 1022 West Troy Ave. by Henry M. Coombs, Attorney, 5330 Madison Ave. requests rezoning of 6.98 acres, being in A-2 district, to I-4-U classification to provide for treating and cleaning of metals. Located 1002-1022 West Troy Ave., Indianapolis, Center Township.

G. O. NO. 231, 1971

71-Z-165 The Metropolitan School District of Pike Township by H. William Irwin, Attorney, 1200 Merchants Bank Bldg. requests

rezoning of 28.50 acres, being in A-2 district, to SU-2 classification to provide for an intermediate school. Located 4600 West 52nd Street, Indianapolis, Pike Township.

G. O. NO. 232, 1971

71-Z-166 Indiana Soft Water Service, Inc. by M. W. Stover, Vice-President, by William Levy, Attorney, 5055 East 10th St. requests rezoning of 0.98 acre, being in D-5 district, to C-3 classification to provide for continued sales and service facilities for water conditioning. Located 3335 North Keystone Ave., Indianapolis, Center Township.

G. O. NO. 233, 1971

71-Z-181 The Metropolitan School District of Pike Twp. by H. William Irwin, Attorney, 1200 Merchants Bank Bldg. requests rezoning of 80.00 acres, being in A-2 district, to SU-2 classification to provide for a Senior High and Intermediate School. Located 6350 Roudebaugh Road, Indianapolis, Pike Township.

G. O. NO. 234, 1971

71-Z-185 Big Eagle Corporation and Margaret C. Dittrick by James R. Nickels, Attorney, 2050 Indiana Bank Tower request rezoning of 97.38 acres, being in SU-13 district, to D-9 classification to provide for a high rise apartment complex. Located 6000 west 21st Street, Indianapolis, Wayne Township.

G. O. NO. 235, 1971

71-Z-187 Peyton M. Printz, Stanley Austin, et al by James Nickels, Attorney, 2050 Indiana Bank Tower request rezoning of 14.72 acres, being in A-2 district, to SU-3 classification to provide for a golf course and/or driving range. Located 51 East Thompson Road, Indianapolis, Perry Township.

G. O. NO. 236, 1971

71-Z-188 Peyton M. Printz, Stanley Austin, et al by James Nickles, Attorney, #2050 One Indiana Square, request rezoning of 12.88 acres, being in A-2 district, to SU-16 classification to pro-

vide for amusement and recreational purposes. Located 201 East Thompson Road, Indianapolis Perry Township.

G. O. NO. 237, 1971

71-Z-189 Walter Lee Harbaugh, et al by A. H. M. Graves, Inc. by Thomas B. Laycock, Chairman, 5948 North College Ave. request rezoning of 10.26 acres, being in D-3 district, to D-6 II classification to provide for multi-family dwellings. Located 5702 West Minnesota St., Indianapolis, Wayne Township.

G. O. NO. 238, 1971

71-Z-190 Culasa Drake by A. H. M. Graves, Inc. by Thomas B. Laycock, Chairman, 5948 North College Ave. request rezoning of 23.00 acres, being in A-2 district, to D-7 classification to provide for multi-family dwellings. Located 9420 East 38th St., Indianapolis, Lawrence Township.

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

SPECIAL RESOLUTIONS

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1971

Introduced by Councilman Egenes.

CITY-COUNTY COUNCIL SPECIAL RESOLUTION NO. 39, 1971

A SPECIAL RESOLUTION approving the filing of a request for recertification of the City's Workable Program for Community Improvement.

WHEREAS, under Title I of the Housing Act of 1949, as amended, it is necessary for a community to submit to the Secretary of the Department of Housing and Urban Development a request for recertification of its Workable Program in order to remain eligible for financial assistance from the United States of America for: Urban Renewal Programs; Neighborhood Development Program;

Concentrated Code Enforcement Programs; Interim Assistance for Blighted Areas; Demolition Grant Programs; Community Renewal Programs; General Neighborhood Renewal Programs; Rehabilitation loans and grants under Sections 115 and 312; low-rent housing programs (except for Section 23 short term lease housing); and certain mortgage insurance programs and other financial assistance from the Department of Housing and Urban Development for which a certified Workable Program for Community Improvement is a pre-requisite; and

WHEREAS, recent studies by the Department of Metropolitan Development have indicated the continued presence of urban slums and blight within the City of Indianapolis; and

WHEREAS, an effective plan of action by the City of Indianapolis is necessary to prevent the spread of said future blight and to attempt to eliminate said slums and blight; and

WHEREAS, it would be in the best interest of the City of Indianapolis to remain eligible for the federal financial assistance programs from the Department of Housing and Urban Development; and

WHEREAS, there has been previously prepared and presented to the Department of Housing and Urban Development an application for a Workable Program for re-certification for the City of Indianapolis; and

WHEREAS, it is necessary and in the public interest that an application for the Workable Program be submitted to the Department of Housing and Urban Development as prepared by the Department of Metropolitan Development.

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

1. That steps by the various agencies, boards and departments of the City of Indianapolis to prevent the spread of further blight and to attempt to eliminate slums and blight are hereby authorized and approved.
2. That it is the intent of the City-County Council that appropriate public and private resources be utilized to eliminate and prevent slums and blight in the City of Indianapolis.

3. That the City-County Council of the City of Indianapolis does hereby approve the biennial application for Workable Program recertification for the City of Indianapolis and approves its filing with the Department of Housing and Urban Development.

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

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1971

Introduced by Councilman Hasbrook.

CITY-COUNTY SPECIAL RESOLUTION NO. 40 1971

WHEREAS, there are no uncommitted, unappropriated or unexpended funds in the City or County General Fund remaining in 1971, and

WHEREAS, this Council is desirous of maintaining financial stability and sound business practices:

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

Section 1. That no requests for new funds be accepted from any City or County governmental unit during the remainder of 1971 except in those instances where there is a new source to be provided from state or federal sources not previously anticipated.

Section 2. That no requests for the transfer of funds be made unless these be for a severe emergency and clearance for such transfers be obtained from the Chairman of the appropriate Council Committee.

Section 3. Each Unigov director, department head and elected official is requested not to fill any unfilled, budgeted positions, request any new positions nor fill any previously approved positions without specific authorization from the Director of the Department of Administration or the President of the County Commissioners, except those positions which may be filled using the recently approved Federal Manpower Emergency Employment funds.

Section 4. The full cooperation of each elected official, department head and director is respectfully requested to observe the above austerity program, and a copy of this resolution is authorized to be sent to each elected official, director and department head.

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

President Hasbrook called for ordinances on second reading.

ORDINANCES ON SECOND READING

President Hasbrook requested consent of the Council to change the procedures by taking the Metropolitan Development Committee's ordinances out of the regular order.

The request was granted by unanimous consent.

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage of General Ordinance Nos. 177, 213, 214, 215, 216, and 221, 1971, and that General Ordinance No. 202, 1971 be amended and passed and that General Ordinance Nos. 155, 164, 185, 206, and 217, 1971 be held.

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. Brown, for the passage of City-County General Ordinance No. 177, 1971.

The ordinance failed for want of a majority on the following roll call vote:

Ayes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, and Mr. Neal.

Noes 7, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Mr. Egenes called for a second reading of City-County General Ordinance No. 202, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, to amend General Ordinance No. 202, 1971, by including the covenants submitted by the petitioner as follows:

COVENANT

The undersigned, R. N. Thompson and Associates, Inc., hereby covenants and warrants to the Metropolitan Development Commission of Indianapolis-Marion County, Indiana, that from and after the date it acquires title to that portion of the real estate described in the petition for re-zoning filed by Carl J. Verplank and Harold G. Lambert and docketed as Cause No. 71-Z-149 and now known as City-County General Ordinance No. 202, it will restrict its commercial use of such real estate in such a manner as to prevent the discharge of oil, gasoline, petroleum products or other pollutants into or upon the court ditch known as Springer Ditch or into the standing body of water located upon such real estate nor will it permit the discharge of such oil, gasoline, petroleum products or other pollutants in or onto the ground adjacent to such waterway or pond in such a manner that they could flow into such waterway or pond.

That it will not use nor permit the use of the premises in such a manner as to cause loud or offensive noises to emanate from the prem-

ises by the operation of motors, engines, machinery, equipment or in any other manner whatsoever other than during normal business hours, being the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday of each calendar week.

The covenants are given in consideration of the re-zoning of such tract of land by the City-County-Council of Indianapolis, Marion County, Indiana, and will run with the land.

Dated this 10th day of September, 1971.

R. N. THOMPSON AND ASSOCIATES, INC.

By
R. N. Thompson, President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared R. N. Thompson who acknowledged the execution of the foregoing Covenant.

Witness my hand and Notarial Seal this 10th day of September, 1971.

Ben L. Hatfield
Notary Public

My Commission Expires
Jan 29, 1975

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. 202, 1971, as amended.

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

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Mr. McPherson was out of the chambers when the vote was taken.

Mr. Egenes called for a second reading of City-County General Ordinance Nos. 213, 214, 215, 216, and 221, 1971.

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. 213, 214, 215, 216, and 221, 1971.

The ordinances passed on the following roll call vote:

Ayes 10, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Mr. McPherson was out of the chambers when the vote was taken.

Mr. Byrum reported that the Committee on Transportation recommended passage of City-County General Ordinance Nos. 208, 209, 210, and 211, 1971, and that General Ordinance No. 207, 1971, be amended and passed.

Mr. Byrum called for a second reading of City-County General Ordinance No. 207, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. SerVaas, to amend City-County General Ordinance No. 207, 1971, as follows:

Indianapolis, Ind. September 20, 1971

Mr. President:

I move that City-County General Ordinance No. 207 1971 be amended by striking out in its entirety, Section 2, renumbering Section 3 and 4 as Sections 2 and 3, as per the copy distributed.

WILLIAM K. BYRUM
Councilman

The motion to amend passed by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 207, 1971, as amended.

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

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Brown.

Mr. Byrum called for a second reading of City-County General Ordinance No. 208, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 208, 1971.

The ordinance passed on the following roll call vote:

Ayes 10, viz: Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

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

Mr. Byrum called for a second reading of City-County General Ordinance No. 209, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Egenes, for the passage of City-County General Ordinance No. 209, 1971.

The ordinance passed on the following roll call vote:

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

Noes 1, viz: Mr. Boyd.

Mr. Gorham was out of the chambers when the vote was taken.

Mr. Byrum called for a second reading of City-County General Ordinance No. 210, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 210, 1971.

The ordinance passed on the following roll call vote:

Ayes 8, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson, Mr. Neal, Mr. SerVaas and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Brown.

Mr. Gorham was out of the chambers when the vote was taken.

Mr. Byrum called for a second reading of City-County General Ordinance No. 211, 1971.

The clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 211, 1971.

The ordinance passed on the following roll call vote:

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

Noes 1, viz: Mr. Boyd.

Mr. Gorham was out of the chambers at the time the vote was taken.

NEW BUSINESS

Mr. Hasbrook announced that there would be a public hearing at the October 4th meeting on the bus service provided by the Indianapolis Transit System, Inc.

Mr. Egenes announced that there would be a public hearing on General Ordinance No. 206, 1971 (The Flood Control Districts Zoning Ordinance of Marion County), and General Ordinance No. 212, 1971 (Sign Regulations of Marion County, Indiana), on Wednesday, September 22, 1971, at 4:00 P.M., in the Public Assembly Room.

On Motion of Mr. McPherson, seconded by Mr. Byrum, the Council adjourned at 7:35 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-Council of Indianapolis-Marion County held on the 20th day of September, 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.



ATTEST:

President



(SEAL)

City Clerk