

REGULAR MEETING

Monday, February 19, 1973, 7:00 P.M.

A Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 7:12 P.M., Monday, February 19, 1973. President Hasbrook in the Chair. Councilman Cottingham introduced Mr. Paul Smith who opened the meeting with prayer; followed by the Pledge of Allegiance.

ROLL CALL

The President instructed the Clerk to take the roll. Twenty-seven members being present, he announced a quorum. The roll call was as follows: *Present:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook. *Absent:* Mrs. Gibson and Mr. Hawkins.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for February 5, 1973, as distributed. There being no corrections, the Journal of February 5, 1973, stands approved as distributed.

OFFICIAL COMMUNICATIONS

President Hasbrook called for reading of communications. The Clerk read the following:

February 6, 1973

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

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Jean A. Wytttenbach, the following city-county ordinances:

FISCAL ORDINANCE NO. 4, 1973, transferring and appropriating the sum of \$92,000.00 for certain projects and activities of the Community Services Program.

FISCAL ORDINANCE NO. 5, 1973, transferring and appropriating the sum of \$172,236.00 for certain projects and activities of the Community Services Program and authorizing the Mayor to execute an amendment to the grant agreement with the U.S. to include in Year 3 of the Community Services Program.

GENERAL ORDINANCE NOS. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, 1973, enlarging the boundaries of the Fire Special Service District and Police Special Service District of the City of Indianapolis, amending the "Code of Indianapolis and Marion County, 1970".

Respectfully submitted,

RICHARD G. LUGAR
Mayor

February 19, 1973

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

Ladies and 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 February 8, 1973, and February 15, 1973, a "Notice to Taxpayers," of a public hearing on Proposal No. 58, 1973, and on February 9, 1973, a "Notice of Public Hearing" on Proposal Nos. 52 and 53, 1973, (Rezoning Ordinances), to be held on Monday, February 19, 1973, in the Council Chambers, City-County Building, at 7:00 P.M.

I also caused to be published in the above-mentioned newspapers on February 9, 1973, and February 16, 1973, General Ordinance Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, 1973.

Respectfully submitted,

JEAN A. WYTENBACH
Clerk of the City-County Council

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

President Hasbrook announced that Mr. Thomas Taylor's report to the City-County Council was available and would be distributed this evening; that Mr. Taylor would be present at the next meeting of the Council to answer any questions the Councilmen might wish to ask.

INTRODUCTION OF GUESTS

President Hasbrook called for introduction of guests.

Councilman Gilmer introduced members of the public from Pike Township.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 66, 1973. Introduced by Councilman Ruckelshaus. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance transferring funds within the appropriations for the Community Services Program for 1973;" and the President referred it to the Community Affairs Committee.

PROPOSAL NOS. 67 through 79, 1973. Introduced by Councilman Egenes. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission February 8, 1973." The President referred them to the Committee of the Whole, and ordered them placed on the Agenda under Special Orders—Final Adoption. Public hearing to be held on Proposal Nos. 67 and 74, 1973, on March 5, 1973.

PROPOSAL NO. 80, 1973. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1973 and appropriating the sum of sixty-eight thousand eight hundred forty-seven dollars (\$68,847.00) for purposes of the Department of Administration by reducing the Unappropriated City General Fund;" and the President referred it to the Administration Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 81, 1973. Introduced by Councilman

Cottingham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1973 and appropriating the sum of Six thousand dollars (\$6,000.00) for certain purposes of the Juvenile Center by reducing certain appropriations for the Maintenance of County Owned Buildings;" and the President referred it to the County and Townships Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 82, 1973. Introduced by Councilman Egenes. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1973 reducing certain appropriations heretofore approved for the CSP and the Division of Urban Renewal, Department of Metropolitan Development;" and the President referred it to the Metropolitan Development Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 83, 1973. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Fifty thousand dollars (\$50,000.00) for certain purposes of the Department of Public Safety, Office of Director, by reducing the unappropriated City General Fund;" and the President referred it to the Public Safety Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 84, 1973. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A pro-

posal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Fifty-three thousand dollars (\$53,000.00) for certain purposes of C.S.P.—CENSUS USES STUDY by reducing the unappropriated City General Fund;” and the President referred it to the Administration Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 85, 1973. Introduced by Councilman Gorham. The Clerk read the proposal entitled: “A proposal for a General Ordinance amending the City of Indianapolis License Code, Title 7 of the ‘Code of Indianapolis and Marion County, 1970’ by amending Chapter 16, Sections 7-1601, 7-1607 and 7-1614 providing for the regulation and licensing of taxicabs;” and the President referred it to the Administration Committee.

PROPOSAL NO. 86, 1973. Introduced by Councilman Cottingham. The Clerk read the proposal entitled: “A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Thirteen thousand five hundred dollars (\$13,500.00) for certain purposes of the Marion County Jail by reducing certain other appropriations for that department;” and the President referred it to the County and Townships Committee.

PROPOSAL NO. 87, 1973. Introduced by Councilman Cottingham. The Clerk read the proposal entitled: “A proposal for a Fiscal Ordinance amending the CITY-

COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Sixteen thousand thirteen dollars and thirty-six cents (\$16,013.36) for certain purposes of the Marion County Election Board by reducing the unappropriated County General Fund;" and the President referred it to the County and Townships Committee. Public hearing to be held on March 5, 1973.

PROPOSAL NO. 88, 1973. Introduced by Councilman Cottingham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of One hundred eighty thousand dollars (\$180,000.00) for certain purposes of the Marion County Home by reducing the unappropriated County Home Cumulative Building Fund;" and the President referred it to the County and Townships Committee. Public hearing to be held on March 5, 1973.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 276, 1972. Councilman Byrum moved, seconded by Councilman Egenes to remove Proposal No. 276, 1972, from the table to be heard under Special Orders—Final Adoption. The motion was carried by voice vote.

SPECIAL ORDERS—PUBLIC HEARING

President Hasbrook called for proposals eligible for

public hearing. Members of the public were invited to be heard on proposals eligible for public hearing, and the Council recessed to the Committee of the Whole at 7:30 P.M. to hear arguments for and against Proposal Nos. 52 and 53, 1973. President Hasbrook informed those present that thirty minutes would be allotted each side. Mr. James Beatty, attorney for the petitioners, showed slides of the area involved and spoke for fifteen minutes in favor of the proposals. Mr. Ed O'Laughlin and Dr. Charles Jordan, representing Pike Township, spoke for twenty minutes in opposition to the Proposals. The rebuttals lasted 15 and 10 minutes respectively. The Council reconvened at 8:50 P.M. Councilman Gilmer moved, seconded by Councilman Ruckelshaus to amend Proposal Nos. 52 and 53, 1973. Councilman Clark moved, seconded by Councilman Patterson to recess for ten minutes. The Council recessed at 8:53 P.M. and reconvened at 9:32 P.M.

PROPOSAL NOS. 52 and 53, 1973. After discussion, it was agreed that Proposal Nos. 52 and 53, 1973, be acted upon separately.

PROPOSAL NO. 52, 1973. After discussion, Councilman Gilmer moved, seconded by Councilman Ruckelshaus, to *amend* Proposal No. 52, 1973, as follows:

Mr. President:

I move that City-County Council Proposal No. 52, 1973, being a proposal for a rezoning ordinance certified by the Metropolitan Development Commission as Docket No. 72-Z-249, be amended as follows:

Strike Section 2 in its entirety and insert in lieu thereof, the following:

"Section 2. This Ordinance shall be in effect only upon condition that prior to the issuance of any improvement location permit for the construction of multifamily living units, the party seeking such permit shall have paid to the School Corporation in whose jurisdiction the above described real estate is located a payment for School facilities construction and operating costs determined as follows:

- (a) for facilities construction costs, thirty-seven dollars and fifty cents (\$37.50) per apartment living unit and seventy-five dollars (\$75.00) per condominium living unit; and
- (b) for operating costs, fifty-six dollars (\$56.00) per apartment living unit and one hundred twelve dollars (\$112.00) per condominium living unit;

for purposes of this section "apartment shall mean any solely owned building with three or more rental living units; and "condominium" shall mean any building designed with three or more living units which units are for sale to separate owners:

and upon satisfaction on said conditions this ordinance to be in full force and effect."

GORDON GILMER
Councilman

The motion to amend *failed* for want of a two-thirds vote on a roll call vote; *viz*: 17 Ayes: Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mrs. Miller, Mrs. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas and President Hasbrook. 9 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. McPherson, Mrs. Noel and Mr. West. Councilman Tintera abstaining. Proposal No. 52, 1973, *passed* for want of a two-thirds vote to defeat on a roll call vote; *viz*: 8 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr.

Egenes, Mr. McPherson and Mrs. Noel. 18 Noes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. West and President Hasbrook. Councilman Tintera abstaining. Proposal No. 52, 1973, was retitled Rezoning Ordinance No. 18, 1973, and reads as follows:

72-Z-249 — P. O. No. 52, 1973 — R. O. No. 18, 1973—

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
4941 WEST 59TH STREET, INDIANAPOLIS

Charles & Leah McDowall by James W. Beatty, Attorney, 500 Union Federal Building requests rezoning of 15.00 acres, being in A-2 district, to D-6 II classification to permit construction of garden apartments and townhouses.

PROPOSAL NO. 53, 1973. After discussion, Councilman Gilmer moved, seconded by Councilman Ruckelshaus, to *amend* Proposal No. 53, 1973, as follows:

Mr. President:

I move that City-County Council Proposal No. 53, 1973, being a proposal for a rezoning ordinance certified by the Metropolitan Development Commission as Docket No. 72-Z-289, be amended as follows:

Strike Section 2 in its entirety and insert in lieu thereof the following:

“Section 2. This Ordinance shall be in effect only upon condition that prior to the issuance of any improvement location permit for the construction of multifamily living units, the party seeking such permit shall have paid to the School Corporation in whose jurisdiction the above described real estate is located a payment for School facilities construction and operating costs determined as follows:

- (a) for facilities construction costs, thirty-seven dollars and fifty cents (\$37.50) per apartment living unit and seventy-five dollars (\$75.00) per condominium living unit; and
- (b) for operating costs, fifty-six dollars (\$56.00) per apartment living unit and one hundred twelve dollars (\$112.00) per condominium living unit;

for purposes of this section "apartment" shall mean any solely owned building with three or more rental living units; and "condominium" shall mean any building designed with three or more living units which units are for sale to separate owners;

and upon satisfaction on said conditions this ordinance to be in full force and effect."

GORDON GILMER
Councilman

The motion to amend failed for want of a two-thirds vote on a roll call vote: *viz*: 18 *Ayes*: Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and President Hasbrook. 9 *Noes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. McPherson, Mrs. Noel and Mr. West. Proposal No. 53, 1973, passed for want of a two-thirds vote to defeat, on a roll call vote; *viz*: 9 *Ayes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Egenes, Mr. McPherson, Mrs. Noel and Mr. West. 18 *Noes*: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Presi-

dent Hasbrook. Proposal No. 53, 1973, was retitled Rezoning Ordinance No. 19, 1973, and reads as follows:

72-Z-289 — P. O. No. 53, 1973 — R. O. No. 19, 1973—

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
6401 GEORGETOWN ROAD, INDIANAPOLIS

West 86th Street Development Company by James W. Beatty, Attorney, 500 Union Federal Building requests rezoning of 16.84 acres, being in A-2 district, to D-6 II classification to permit construction of garden apartments.

PROPOSAL NO. 58, 1973. After discussion, Proposal No. 58, 1973, was *passed* on a roll call vote; *viz:* 24 *Ayes:* Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook. 1 *No:* Mr. Boyd. Councilmen Cantwell and Gilmer were out of Chambers when vote was taken. Proposal No. 58, 1973, was retitled Fiscal Ordinance No. 6, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1973

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated to pay for remodeling of office facilities for the Prosecuting Attorney by reducing the unappropriated County General Fund.

Section 2. The sum of Five thousand nine hundred dollars (\$5,900.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY

	County General Fund
200 Services Contractual	\$ 5,900.00
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TOTAL INCREASES	\$ 5,900.00

Section 4. The said additional appropriations are funded by the following reductions:

	County General Fund
Unappropriated County General Fund	\$ 5,900.00
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TOTAL REDUCTIONS	\$ 5,900.00

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing and approval by the State Board of Tax Commissioners.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 276, 1972. After discussion, Proposal No. 276, 1972, was passed on a roll call vote; viz: 24 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 1 No: President Hasbrook. Councilmen Cantwell and

Gilmer were out of Chambers when vote was taken. Proposal No. 276, 1972, was retitled General Ordinance No. 16, 1973, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 1973

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

Section 1. Title 4, Chapter 4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMITS, is hereby, amended by the addition of the following:

Road	From	To	Designated Speed Limit
North College Ave.	63rd Street	80th Street	40 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 adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

PROPOSAL NO. 47, 1973. After discussion, Councilman Tintera moved, seconded by Councilman Cottingham, to *strike* Proposal No. 47, 1973. The motion to strike *carried* by voice vote.

PROPOSAL NOS. 43 and 44, 1973. After discussion, Proposal Nos. 43 and 44, 1973, were *tabled* by voice vote.

PROPOSAL NO. 89, 1973. Councilman SerVaas moved, seconded by Councilman Byrum, to *amend* Proposal No. 89, 1973, as follows:

I move that City-County Proposal No. 89, 1973, be amended as follows:

At the end of the 5th line of Paragraph 2, insert the word "preliminary" after "a".

BEURT SER VAAS
Councilman

The motion to amend was *carried* by voice vote. Proposal No. 89, 1973, as amended, *passed* by voice vote. Proposal No. 89, 1973, was retitled Council Resolution No. 6, 1973, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1973

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

RESOLVED; The Unified Council commends Mayor Richard Lugar for his withdrawal of support for the annexation of certain areas in Decatur and Lawrence Townships into the Indianapolis Special Police and Fire District. The Council joins Mayor Lugar in his desire to find a better method to provide police and fire service to the citizens of Indianapolis. The safety and protection of the lives and property of the inhabitants of Indianapolis and Marion County, in their homes and communities, on the roads and highways of the city and in their places of employment is the proper business of the Mayor and this Council, and is of the highest priority.

Consequently, the Council herein requests of its Committee on Committees that a Special Committee of four councilmen be appointed before the next meeting of this Council; two representing areas presently in the police and fire districts, and two from areas outside these districts, to recommend to this Council within ninety days, a preliminary plan to provide fire and law enforcement services throughout the entire city in an equitable and efficient manner, construed to be acceptable to a majority of this Council, and devised with the wisdom and common sense needed to cause favor and support among the various services whose cooperation will be necessary. Though the task of this Committee is formidable and complex, the Council believes that

the committee's opportunity for success is greater than at any other time. The Council also requests that the Mayor appoint a fifth member, ex officio and non-voting, to meet with, counsel and assist the Special Committee in its search and deliberations.

The Council asks that all law enforcement, fire and budget agencies of local government cooperate with its Special Committee to the best of their ability.

PROPOSAL NO. 12, 1973. After discussion, Councilman Cottingham moved, seconded by Councilman McPherson, to *amend* Proposal No. 12, 1973, as follows:

Mr. President:

I move that City-County Council Proposal No. 12, 1973, be amended as follows:

- (a) in Section 3, line 3, strike the figures "\$4,900.00" and insert in lieu thereof, "\$2,160.00"; and
- (b) in Section 3, line 7, strike the figures "\$6,350.00" and insert in lieu thereof, "\$3,510.00"; and
- (c) in Section 4, lines 4 and 5, strike the figures "\$6,350.00" and insert in lieu thereof the figures "\$3,510.00".

DWIGHT COTTINGHAM
Councilman

The motion to amend was *carried* by voice vote. Proposal No. 12, 1973, as amended, *passed* on a roll call vote; *viz:* 20 Ayes: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and Presi-

dent Hasbrook. 6 Noes: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Elmore and Mrs. Noel. Councilman Ruckelshaus was out of Chambers when vote was taken. Proposal No. 12, 1973, was retitled Fiscal Ordinance No. 7, 1973, and reads as follows:

CITY COUNTY FISCAL ORDINANCE NO. 7, 1973

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated to provide increases in the Budget of the Probate Court which the Judge thereof believes justified by transferring from and reducing the unappropriated and unencumbered County General Fund.

Section 2. The sum of Six thousand three hundred fifty dollars (\$6,350.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

PROBATE COURT

	County General Fund
100 Services Personal	\$ 2,160.00
200 Services Contractual	650.00
300 Supplies	550.00
700 Properties	250.00
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TOTAL INCREASES	\$ 3,510.00

Section 4. The said additional appropriations are funded by the following reductions:

	County General Fund
Unappropriated County General Fund	\$ 3,510.00
TOTAL REDUCTIONS	\$ 3,510.00

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing and approval by the State Board of Tax Commissioners.

PROPOSAL NO. 29, 1973. After discussion, Councilman Cottingham moved, seconded by Councilman Griffith, to *amend* Proposal No. 29, 1973, as follows:

Mr. President:

I move that City-County Council Proposal No. 29, 1973, be amended as follows:

- (a) in Section 3, line 3, strike in its entirety; and
- (b) in Section 3, line 5, strike the figures "\$3,500.00" and insert in lieu thereof, "\$1,500.00"; and
- (c) in Section 4, lines 4 and 5, strike the figures "\$3,500.00" and insert in lieu thereof, the figures "\$1,500.00".

DWIGHT COTTINGHAM
Councilman

The motion to amend was *carried* by voice vote. Proposal No. 29, 1973, as amended, *passed* on a roll call vote; *viz*: 22 Ayes: Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook. 4 Noes: Mr.

Bayt, Mr. Boyd, Mr. Cantwell and Mrs. Noel. Councilman Ruckelshaus was out of Chambers when vote was taken. Proposal No. 29, 1973, was retitled Fiscal Ordinance No. 8, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1973

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated to provide additional appropriations for supplies and equipment for Criminal Court, Division IV, by reducing certain other appropriations for that office.

Section 2. The sum of Three thousand five hundred dollars (\$3,500.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

CRIMINAL COURT
Division IV

	County General Fund
700 Properties	\$ 1,500.00
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TOTAL INCREASES	\$ 1,500.00

Section 4. The said additional appropriations are funded by the following reductions:

CRIMINAL COURT
Division IV

	County General Fund
100 Services Personal	\$ 1,500.00
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TOTAL REDUCTIONS	\$ 1,500.00

Section 5. This Ordinance shall be in full force and effect from and after adoption.

PROPOSAL NO. 57, 1973. After discussion, Proposal No. 57, 1973, was passed on a roll call vote; viz: 25 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook. 1 No: Mr. Gilmer. Councilman Ruckelshouse was out of Chambers when vote was taken. Proposal No. 57, 1973, was retitled Special Resolution No. 7, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1973

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective urban renewal area included in the Neighborhood Development Program be approved by the governing body of the locality in which the area is situated and that such approval include findings, by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate

park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan; and

WHEREAS, the Local Public Agency has applied for financial assistance under such act and proposes to amend an existing contract with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

WHEREAS, it is desirable and in the public interest that the Department of Metropolitan Development (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as "the Neighborhood Development Program for 1972 to 1973" and encompassing the area located within the solid block lines, known as the Inner Need Area, shown on Exhibit A, attached hereto, which Area is in the City of Indianapolis of Marion County, State of Indiana herein called the "Locality"; and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures; land use, environmental influences; and social, cultural, and economic conditions of the urban renewal area comprising the Program and has determined that the area is either blighted, deteriorating or both blighted and deteriorating and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the locality at large, because of the Commission now finds that all of said area above referred to is one in which: (a) most of the buildings are used for commercial purposes; (b) that if said conditions are not corrected then in the course of time there would be necessitated excessive and disproportionate expenditure of public funds for crime prevention and punishment, public health and safety, fire and accident prevention, and other public services and facilities of the City and impair the value of property in surrounding areas; (c) the existing conditions result in the reduction of the value of taxable property within the City; (d) such redevelopment program for all of said area is for a public use and purpose, and the members of this governing body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the City-County

Council of the Locality (herein called the "Governing Body") for review and approval an Urban Renewal Plan for the urban renewal area, attached hereto as Exhibit B, dated January 24, 1973, and consisting of 11 pages and 4 maps; and

WHEREAS, the Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Urban Renewal Plan, which is attached hereto as Exhibit C; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys and inspections in the areas comprising the program and the assembling and analysis of the data and information obtained from such studies, surveys and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal areas and of the availability of proper housing in the locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Urban Renewal Plan for the Program, in conformity with the contracts for financial assistance between the Local Public Agency and the United States of America acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal

activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; and

WHEREAS, the Local Public Agency's share of said project cost will be furnished by non-cash credits; NOW, THEREFORE:

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

1. That it is hereby found and determined that the Urban Renewal area comprising the Program is an either blighted, deteriorating or both blighted and deteriorating area and qualifies as an eligible area under the Indiana Code, Sections 18-7-8-1 to 18-7-8-30 (Burns Indiana Statutes Sections 48-8501 to 48-8534).

2. That the Urban Renewal Plan for the Program, attached hereto as Exhibit B, having been duly reviewed and considered, is hereby approved.

3. That it is hereby found and determined that where clearance is proposed that the objectives of the Urban Renewal Plan cannot be achieved through more extensive rehabilitation of portions of the urban renewal area comprising the Program.

4. That although at this time the Renewal Plan does not contemplate residential use of the project area, due consideration shall be given, if necessary, to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.

5. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the Locality.

6. That it is hereby found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the area comprising the Program.

7. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.

8. That it is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the areas comprising the Program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

10. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, (along with the Local Public Agency's share being furnished by non-cash credits) is necessary to enable to land in the area comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

PROPOSAL NO. 59, 1973. After discussion, Councilman Clark moved, seconded by Councilman Gorham, to *table* Proposal No. 59, 1973. The motion to table was *carried* by voice vote.

PROPOSAL NO. 60, 1973. After discussion, Councilman Egenes moved, seconded by Councilman Byrum, to *amend* Proposal No. 60, 1973, as follows:

Mr. President:

I move that City-County Council Proposal No. 60, 1973, be amended as follows:

(a) in line 1 of Section 1, strike the words "proposes to amend" and insert therefor, the word "disapproves" and

(b) in line 3 of Section 1, insert, following the comma, after the work "reference" the additional words "and purpose to amend the same"; and

(c) after line 4 of Section 1, insert the additional clause: "(a) that all community boundary lines conform with precinct boundary lines."

HAROLD J. EGENES
Councilman

The motion to amend was *carried* by voice vote. After a lengthy discussion, Councilman SerVaas moved to further amend Proposal No. 60, 1973. Mr. Boyd raised a point of order as to whether the amendment was in writing. President Hasbrook, after conferring with The General Counsel, declared the motion out of order because the motion was not in writing. Councilman Clark moved, seconded by Councilman Giffin, to suspend the rules to

allow Mr. SerVaas to move his amendment orally. The motion to suspend the rules *failed* for want of a two-thirds vote, on a roll call vote; *viz*: 17 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 7 Noes: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Egenes, Mr. Gorham, Mr. Kimbell and President Hasbrook. Councilmen Bayt, Broderick and Ruckelshaus were out of Chambers when vote was taken. Councilman Clark moved, seconded by Councilman Giffin to recess for two minutes. The motion to recess was carried by voice vote, and the Council recessed at 10:15 P.M. The Council reconvened at 10:17 P.M. After discussion, Councilman SerVaas moved, seconded by Councilman Giffin to *further amend* Proposal No. 60, 1973, as follows:

I move that City-County Proposal No. 60, 1973, be amended by adding the following:

- (b) The Council recommends the amendment of the Metropolitan Plan Commission's Proposal for Mini-Gov to cause Marion County to become a Mini-Gov of the Whole. Subsequently the Council will through its Standing Committees hear petitions to subdivide the Mini-Gov of the Whole into smaller components in response to petitions from Civic Associations and neighborhood organizations conveying their desire to form a Mini-Gov district of their own, and suggests the natural boundaries of their jurisdiction. Further, the Council would from time to time review Mini-Gov districts thus created to determine if the districts are still viable, and whether or not the boundaries originally created should remain static or be expanded or contracted accordingly to circumstances.

The motion to further amend was *carried* by voice

vote. Proposal No. 60, 1973, as amended, was *passed* by voice vote. Proposal No. 60, 1973, was retitled Special Resolution No. 8, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1973

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

Section 1. The Council disapproves the "Communities Plan" adopted by the Metropolitan Development Commission on December 20, 1972, which Plan is incorporated herein by reference, and purpose to amend the same so as to make the following change in the boundaries, to wit:

- (a) That all community boundary lines conform with precinct boundary lines.
- (b) The Council recommends the amendment of the Metropolitan Plan Commission's Proposal for Mini-Gov to cause Marion County to become a Mini-Gov of the Whole. Subsequently the Council will through its Standing Committees hear petitions to subdivide the Mini-Gov of the Whole into smaller components in response to petitions from Civic Associations and neighborhood organizations conveying their desire to form a Mini-Gov district of their own, and suggests the natural boundaries of their jurisdiction. Further, the Council would from time to time review Mini-Gov districts thus created to determine if the districts are still viable, and whether or not the boundaries originally created should remain static or be expanded or contracted accordingly to circumstances.

Section 2. The amendments to the "Communities Plan" as proposed by this Resolution are hereby referred to the Metropolitan Development Commission for its recommendation as provided by Statute, I.C. 1971, 18-4-15.5-3.

After discussion on Mini-gov, President Hasbrook suggested inviting Mr. Lamkin, and any other interested parties, to speak on Mini-gov at the close of the next

meeting of the Council on March 5, 1973. The majority of the Council members were in favor of this arrangement.

PROPOSAL NOS. 67 through 79, 1973. Councilman Byrum moved, seconded by Councilman Griffith, to hold a public hearing on Proposal No. 74, 1973, at the next meeting of the Council on March 5, 1973. The motion was *carried* by voice vote. After discussion, Councilman Gilmer moved, seconded by Councilman Giffin, to hold a public hearing on Proposal No. 67, 1973, at the next meeting of the Council on March 5, 1973. The motion was *carried* by voice vote. No action was taken on Proposal Nos. 68 through 73, and 75 through 79, 1973. Proposal Nos. 68, 69, 70, 71, 72, 73, 75, 76, 77, 78 and 79, 1973, were retitled Rezoning Ordinance Nos. 20 through 30, 1973, and read as follows:

72-Z-308 — P. O. No. 68, 1973 — R. O. No. 20, 1973—

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #2,
2855 WEST 39TH STREET, INDIANAPOLIS

Sarah Frances Gavin, Elizabeth Cooper Vonnegut and American Fletcher National Bank as Co-Executor of the Estate of John J. Cooper by 3800 Kessler Annex Company by Herbert J. Backer, Attorney, 1350 Consolidated Bldg. request rezoning of 3.52 acres, being in A-2 district, to D-7 classification to permit construction of apartments.

72-Z-311 — P. O. No. 69, 1973 — R. O. No. 21, 1973—

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #14,
1321 NORTH SHADELAND AVENUE, INDIANAPOLIS

Gilbert E. & Naomi Snyder by J. C. Burris, Attorney, 600 Circle Tower Building request rezoning of 0.41 acre, being in D-3 district, to C-1 classification to permit commercial use.

72-Z-312 — P. O. No. 70, 1973 — R. O. No. 22, 1973—

**WARREN TOWNSHIP, COUNCILMANIC DISTRICT #14,
1311 NORTH SHADELAND AVENUE, INDIANAPOLIS**

Eastland Co., Inc. by T. E. Pendleton, Pres. by J. C. Burris, Attorney, 600 Circle Tower Building request rezoning of 1.10 acres, being in D-3 district, to C-1 classification to permit commercial use.

72-Z-313 — P. O. No. 71, 1973 — R. O. No. 23, 1973—

**WARREN TOWNSHIP, COUNCILMANIC DISTRICT #14,
1307 NORTH SHADELAND AVENUE, INDIANAPOLIS**

Eastland Co., Inc. by T. E. Pendleton, Pres. by J. C. Burris, Attorney, 600 Circle Tower Building request rezoning of 1.09 acres, being in D-3 district, to C-1 classification to permit commercial use.

72-Z-318 (72-PD-5) — P. O. No. 72, 1973 — R. O. No. 24, 1973—

**WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #4,
5601 ALLISONVILLE ROAD, INDIANAPOLIS**

Annalee Webb Miller and William Webb by William F. LeMond, Attorney, 412 Union Federal Bldg. request rezoning of 28.89 acres, being in D-1 district, to D-P classification to provide for a Planned Unit Development Community, consisting of a retirement home, convalescent facilities, apartments and marketing facilities, as per plans filed.

73-Z-1 — P. O. No. 73, 1973 — R. O. No. 25, 1973—

**PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
2425 WEST 96TH STREET, INDIANAPOLIS**

College Life Development Corp. by William F. LeMond, Attorney, 412 Union Federal Building requests rezoning of 37.24 acres, being in A-2 district, to D-6 II classification to provide for condominium development.

73-Z-4 — P. O. No. 75, 1973 — R. O. No. 26, 1973—

**PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25,
902 WEST STOP 11 ROAD, INDIANAPOLIS**

Lowell M. & Arlene M. Sutton by R. J. Realty, Inc. by Michael J. Kias, Attorney, 3045 South Meridian Street request rezoning of 95.68 acres, being in A-2 district, to D-3 classification to provide for residential use by platting.

73-Z-11 — P. O. No. 76, 1973 — R. O. No. 27, 1973—

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #14,
6019 EAST 12TH STREET, INDIANAPOLIS

Richard L. & Ruby E. St. John and Justus Development Company by Charles G. Castor, Attorney, One Indiana Square #2050 request rezoning of 2.00 acres, being in D-5 district, to C-4 classification to permit commercial use.

73-Z-12 — P. O. No. 77, 1973 — R. O. No. 28, 1973—

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15,
102-160 SOUTH BANCROFT STREET & 5009 PLEASANT RUN
PKWY. N. DR., INDIANAPOLIS

Adolphus W. & Annie L. Dalton, James W. & Irma B. Lloyd, et al by The Board of School Commissioners of the City of Indianapolis by Harold H. Bredell, Attorney, One Indiana Square #2430 request rezoning of 3.47 acres, being in D-5 and D-8 districts to SU-2 classification to permit construction of an addition to Thomas Carr Howe High School.

73-Z-21 — P. O. No. 78, 1973 — R. O. No. 29, 1973—

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #6,
3808 NORTH MERIDIAN STREET, INDIANAPOLIS

North United Methodist Church by G. W. Johnson, Attorney, 1100 Circle Tower requests rezoning of 4.32 acres, being in D-5 & D-9 districts to SU-1 classification to provide for an addition to existing church.

73-Z-22 — P. O. No. 79, 1973 — R. O. No. 30, 1973—

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #24,
6915 SOUTH EMERSON AVENUE, INDIANAPOLIS

Nile E. & Margery H. Weber, Mary A. Wolcott & American Fletcher National Bank & Trust Co. by Franklin I. Miroff, Attorney, One Indiana Square #2130 request rezoning of 1.88 acres, being in A-2 district, to C-1 classification to provide for a branch bank.

NEW BUSINESS

Councilman SerVaas said that in compliance with the

Hill Report on LSO, he would like to nominate W. W. Hill, Judge Charles Applegate, John Moss and Robert Wade as the four members to be appointed by the Council. Councilman Boyd nominated Fay Williams.

ADJOURNMENT

Upon motion made by Councilman Griffith, seconded by Councilman Gorham, the meeting adjourned at 10:40 P.M.

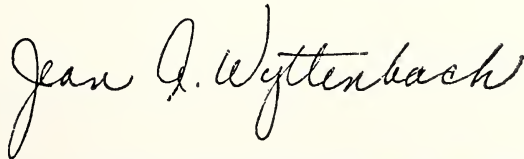
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 19th day of February, 1973.

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



President

ATTEST



Clerk of the City-County Council

(SEAL)