

JOURNAL OF PROCEEDINGS

of the

City-County Council

INDIANAPOLIS, INDIANA



REGULAR MEETING

Monday, January 7, 1974, 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 7:00 p.m., Monday, January 7, 1974. President Hasbrook in the Chair. Councilman Griffith opened the meeting with prayer, followed by the Pledge of Allegiance.

ROLL CALL

President Hasbrook instructed the Clerk to take the roll. Twenty-six 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. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *Absent:* Mrs. Gibson, Mr. Hawkins and Mr. Patterson.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for December 17, 1973, as distributed. There being no corrections, the Journal for December 17, 1973, stands approved as distributed.

OFFICIAL COMMUNICATIONS

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

December 18, 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. 94, 1973, amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 and appropriating the sum of \$9,230 for certain purposes of the Division of Buildings, Department of Metropolitan Development.

FISCAL ORDINANCE NO. 96, 1973, amending the CITY-COUNTY ANNUAL BUDGET FOR 1973, and appropriating the sum of \$4,600.00 for certain purposes of the Division of Code Enforcement, Department of Metropolitan Development.

FISCAL ORDINANCE NO. 97, 1973, amending the CITY-COUNTY ANNUAL BUDGET FOR 1973, and appropriating the sum of \$800.00 by reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 98, 1973, amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Forty thousand dollars (\$40,000.00) for certain purposes of the Department of Transportation by reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 100, 1973, appropriating the sum of \$3,892,000.00 from the Unappropriated Indianapolis Sports Stadium Bond Fund.

SPECIAL ORDINANCE NO. 2, 1973, changing the name of a certain street in Marion County, Indiana.

SPECIAL ORDINANCE NO. 3, 1973, extending the boundaries of the Fire Special Service District of the City of Indianapolis, amending the Code of Indianapolis and Marion County, 1973, and fixing a time when the same shall be effective.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

RGL/jp

January 2, 1974

Honorable Thomas C. Hasbrook, President
City-County Council
241 City-County Building
Indianapolis, Indiana

Dear President Hasbrook:

It is my pleasure to present to the Indianapolis-Marion County City-County Council for its consideration the following persons to serve in the positions so indicated for terms from January 1, 1974 to December 31, 1974:

- | | |
|--------------------|--|
| Fred Armstrong | Director, Department of Administration |
| Michael DeFabis | Deputy Mayor |
| William Leak | Director, Department of Public Safety |
| Roger Pate | Director, Department of Public Works |
| William I. Spencer | Director, Department of Parks and Recreation |
| Richard B. Wetzel | Director, Department of Transportation |

I am proud to be able to present to you this group whom I believe

have provided extraordinary service to the City of Indianapolis during 1973.

Sincerely,

RICHARD G. LUGAR
Mayor

RGL:sag

January 7, 1974

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 (3) public places and published in the Indianapolis News and the Indianapolis Commercial on December 21, 1973, and December 27, 1973, a "Notice to Taxpayers", of a public hearing on Proposal No. 446, 1973, (Rezoning Ordinance), to be held on Monday, January 7, 1974, in the Council Chambers, City-County Building, at 7:00 P.M.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on December 20, 1973, and December 27, 1973, Special Ordinance Nos. 2 and 3, 1973.

Respectfully,

JEAN A. WYTENBACH
City Clerk

JAW/jp

CERTIFICATION OF ELECTION OF CAUCUS LEADER

The undersigned Councilmen having affiliated themselves with the caucus of the Republican Party, hereby certify that by a vote taken

at that caucus on the 7th day of January, 1974, Beurt SerVaas was elected as caucus leader.

A. CLARK ELMORE
BEVERLY K. MILLER
KENNETH GIFFIN
DONALD R. McPHERSON
RICHARD E. CLARK
DWIGHT L. COTTINGHAM
DON GRIFFITH

THOMAS C. HASBROOK
HAROLD J. EGENES
GEORGE B. TINTERA
WILLIAM K. BYRUM
ALAN R. KIMBELL
STEPHEN R. WEST
JOE GORHAM

CERTIFICATION OF ELECTION OF CAUCUS LEADER

The undersigned Councilmen having affiliated themselves with the caucus of the Democrat Party, hereby certify that by a vote taken at that caucus on the 7th day of January, 1974, Rozelle Boyd was elected as caucus leader.

PAUL F. CANTWELL
EDGAR F. CAMPBELL
LAWRENCE F. BRODERICK

HENRY BAYT
ARTRICIA M. NOEL
ROZELLE BOYD

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

President Hasbrook called for presentation of petitions and turned the gavel over to Councilman SerVaas. Councilman SerVaas stated the next order of business would be the election of officers of the City-County Council for the year 1974. Chairman SerVaas called for nominations for the office of President. Councilman Kimbell nominated Councilman Hasbrook, seconded by Councilman Giffin. Councilman McPherson moved, seconded by Councilman Gorham, that the nominations be closed and that Councilman Hasbrook be elected as President for the year 1974. The motion carried by voice vote. The Chair declared Councilman Hasbrook was elected as President and invited him to take the Chair.

President Hasbrook called for nominations for the office of Vice President. Councilman Kimbell nominated Councilman SerVaas, seconded by Councilman Cottingham. Councilman McPherson moved, seconded by Councilman Giffin, that the nominations be closed and that Councilman SerVaas be elected as Vice President for the year 1974. The motion carried by voice vote. The President declared Councilman SerVaas was elected as Vice President.

President Hasbrook called for petitions filed in the Clerk's Office, according to Council rules, for nomination for the Clerk of the Council. Council SerVaas read the Petition filed for the nomination of Mrs. Jean A. Wyttenschach as Clerk of the Council. The nomination was seconded by Councilman Cottingham. President Hasbrook stated that all persons eligible had been nominated and nominations were closed. Mrs. Jean A. Wyttenschach was elected as the Clerk of the Council by unanimous voice vote.

Councilman SerVaas moved, seconded by Councilman Tintera, that the Report of the Rules and Policy Committee on City-County Council staff reappointments be approved as submitted. The motion carried by voice vote and the Report reads as follows:

REPORT OF COUNCIL COMMITTEE ON RULES AND PUBLIC POLICY

The Council Committee on Rules and Public Policy, having considered at its meeting of January 7, 1974, the requirement of the Council for staff officers, does hereby report their recommendation that Beverly J. Kennedy be appointed Assistant Clerk; that Robert G. Elrod

be appointed General Counsel; and Charles E. Gebuhr be appointed Research Director.

Respectfully submitted

BEURT SERVAAS
Chairman

PROPOSAL NO. 508, 1973. Councilman SerVaas moved, seconded by Councilman Clark, to amend Proposal No. 508, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 508, 1973, be amended as follows:

Strike Section 1 and insert the following:

"Section 1. As the City-County Council Liaison to the Health and Hospital Board of Trustees, the Council appoints:

Jack F. Patterson for a term of one (1) year"

In Section 2, add the following:

"William L. Soards for a term of one (1) year"

In Section 9, Division II, delete the following:

"Eldon J. Cox for a term of one (1) year"

Add the following in its place:

"James Clark for a term of one (1) year"

BEURT R. SERVAAS
Councilman

The motion to amend carried by unanimous voice vote. After further discussion, Proposal No. 508, 1973, as

amended, was adopted by unanimous voice vote. Proposal No. 508, 1973, was retitled Council Resolution No. 1, 1974, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1974

A PROPOSAL FOR A COUNCIL RESOLUTION confirming Board and Commission appointments.

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

Section 1. As the City-County Council Liaison to the Health and Hospital Board of Trustees, the Council appoints:

Jack F. Patterson for a term of one (1) year

Section 2. As members of the Human Rights Commission, the Council appoints:

Russell C. Hagerman for a term of two (2) years

Mrs. Ramona Lee for a term of one (1) year

Mr. William L. Soards for a term of one (1) year

Mr. Larna Spearman for a term of one (1) year

Section 3. As member of the Marion County Liquor Board, the Council appoints:

Harry Kent Wick for a term of one (1) year

Section 4. As members of the Metropolitan Development Commission, the Council appoints:

Alan Durnil for a term of one (1) year

Robert H. Eichholtz for a term of one (1) year

George M. Bixler for a term of one (1) year

Section 5. As members of the Park Board the Council appoints:

William O. Brockman for a term of one (1) year

Oren E. Miller for a term of one (1) year

Section 6. As member of the Public Safety Board the Council appoints:

Dwight Schuster, M.D., for a term of one (1) year

Section 7. As members of the Public Works Board the Council appoints:

Robert D. Stegner for a term of one (1) year

Wendell D. Vandivier for a term of one (1) year

Section 8. As members of the Transportation Board the Council appoints:

Carlton E. Curry for a term of one (1) year

Charles A. Pechette for a term of one (1) year

Section 9. As members of the Metropolitan Boards of Zoning Appeals the Council appoints:

Division I

Frank J. Russell for a term of one (1) year

Mrs. Patricia Miller for a term of one (1) year

Division II

Kenneth W. Carr for a term of one (1) year

James Clark for a term of one (1) year

Division III

Thomas N. Swift for a term of one (1) year

Elton L. Thompson for a term of one (1) year

Section 10. This Resolution shall be in full force and effect from and after its adoption.

PROPOSAL NO. 510, 1973. Councilman SerVaas moved, seconded by Councilman Boyd, to adopt Proposal No. 510, 1973. The motion carried by unanimous voice vote. Proposal No. 510, 1973, was retitled Council Resolution No. 2, 1974, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1974

A PROPOSAL FOR A COUNCIL RESOLUTION approving and appointing Michael A. Carroll, Deputy Mayor as proposed by the Mayor.

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

Section 1. The Mayor having proposed to the Council in writing the appointment of Michael A. Carroll as Deputy Mayor, such proposed appointment is approved as set forth in Section 2 for a term ending December 31, 1974, or at the pleasure of the Mayor.

Section 2. The City-County Council does hereby in all respects approve the appointment of Michael A. Carroll as Deputy Mayor.

Section 3. This resolution shall be in full force and effect from and after its adoption.

PROPOSAL NO. 511, 1973. Councilman SerVaas moved, seconded by Councilman Kimbell, to adopt Proposal No. 511, 1973. Following further discussion, Councilman Griffith moved, seconded by Councilman Boyd, that the vote on Proposal No. 511, 1973 be postponed until after the scheduled public hearing in order to avoid a possible conflict of interest by Council Egenes. The motion to postpone carried by a 20-6 standing vote.

PROPOSAL NO. 30, 1974. Councilman SerVaas moved, seconded by Councilman Byrum, to adopt Proposal No. 30, 1974. The motion carried by unanimous voice vote. Proposal No. 30, 1974, was retitled Council Resolution No. 4, 1974, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1973

A PROPOSAL FOR A COUNCIL RESOLUTION approving and appointing the deputy mayor and department directors as proposed by the Mayor.

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

Section 1. The Mayor, having proposed to the Council in writing the appointment of certain persons as deputy mayor and directors, such proposed appointments are approved as set forth in Section 2 for terms of one (1) year at the pleasure of the Mayor.

Section 2. The City-County Council does hereby approve the appointment of the following persons for the respective positions indicated:

Michael DeFabis, Deputy Mayor

William A. Leak, Director of the Department of Public Safety

Fred L. Armstrong, Director of the Department of Administration

Roger C. Pate, Director of the Department of Public Works

William I. Spencer, Director of the Department of Parks and Recreation

Richard B. Wetzel, Director of the Department of Transportation

Section 3. This Resolution shall be in full force and effect from and after its adoption.

PROPOSAL NO. 29, 1974. Councilman Egenes read the proposal in memorium of Phyllis W. Waters and

moved for the adoption of Proposal No. 29, 1974. Councilman Clark seconded the motion. The motion carried by unanimous voice vote. Proposal No. 29, 1974, was retitled Special Resolution No. 1, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION in memorium: Phyllis W. Waters.

WHEREAS, Phyllis W. Waters served this community for 57 years as a political, educational and cultural leader; and

WHEREAS, Phyllis W. Waters influenced and enriched the lives of thousands of young people in this community through her 51 years of service to the Indianapolis Public Schools as a teacher; and

WHEREAS, Phyllis W. Waters served this Council as a City Councilwoman in 1967; and

WHEREAS, Phyllis W. Waters served her community and fellow citizens by her service to the Indiana State Teachers Association, the Indiana Civil Rights Commission, the Girl Scouts of America, the YMCA, the Indiana Education Commission, the Board of Directors of the Indianapolis-Marion County Public Library, the Indianapolis Museum of Art, the Indianapolis Urban League, Citizens Forum, Inc., the Children's Museum, the Indianapolis Zoological Society, and the Greater Indianapolis Information, Inc.; and

WHEREAS, Phyllis W. Waters served the Republican Party as a Precinct Committeewoman and as a Ward Chairman; now, therefore:

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

Section 1. The City-County Council, on behalf of its members and for the citizens of Indianapolis, does hereby posthumously commend Phyllis W. Waters for her service and dedication to this community.

Section 2. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 1-22, 1974. Introduced by Councilman Egenes. The Clerk read the proposal entitled "A proposal for Rezoning Ordinances certified from the Metropolitan Development Commission on December 21, 1973;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 23, 1974. Introduced by Councilman McPherson. The Clerk read the proposal entitled "A proposal for a General Resolution approving the annexation and incorporation of an additional territory into the Indianapolis Sanitary District;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 24, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending the Fire Code, Title 5 of the "Code of Indianapolis and Marion County, 1970" as amended, modifying certain provisions of said Fire Code and establishing standards for fire hydrants;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 25, 1974. Introduced by Councilman Cottingham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 and appropriating the sum of \$18,102.00 for certain purposes of the Juvenile Court of Marion County by reducing the Unappropriated County General Fund;" and the President referred it to the County and Townships Committee.

PROPOSAL NO. 26, 1974. Introduced by Councilman Hasbrook. The Clerk read the proposal entitled: "A proposal for a General Resolution requiring the libraries in the Indianapolis Public Library System to establish, maintain and operate a "current" file of materials relating to the business of the Indianapolis City-County Council;" and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 27, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a General Ordinance prohibiting the discharge of fire arms and regulating hunting in the Consolidated City and fixing penalties for violation thereof;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 28, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Resolution approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District;" and the President referred it to the Transportation Committee.

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. The Council recessed to the Committee of the Whole at 7:40 p.m. and reconvened at 8:20 p.m.

During the recess, Proposal No. 496, 1973, was heard.

PROPOSAL NO. 496, 1973. President Hasbrook stated that the Petitioners and Remonstrators on Proposal No. 496, 1973, would each have fifteen minutes to present their case. James Beatty, attorney for the Petitioners, spoke in favor of the proposal and presented slides for emphasis. Attorney James Quinn and several remonstrators spoke in opposition to the proposal.

After lengthy discussion during which Councilmen Griffith and Clark spoke in opposition to the proposal, Councilman Clark moved, seconded by Councilman Griffith, that Proposal No. 496, 1973, be rejected. After further discussion, Proposal No. 496, 1973, was *rejected* on the following roll call vote; *viz:* 20 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 5 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, and Mrs. Noel. Councilman Cantwell was out of Chambers when vote was taken.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 487, 1973. After discussion, Proposal No. 487, 1973, *passed* on the following roll call vote; *viz:* 17 Ayes: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 4 Noes: Mr. Boyd, Mr. Broderich,

Mr. Campbell and Mrs. Noel. Councilmen Bayt, Cantwell, Clark, Giffin and Ruckelshaus were out of Chambers when vote was taken. Proposal No. 487, 1973, was retitled General Ordinance No. 1, 1974, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1974

A PROPOSAL FOR A GENERAL ORDINANCE amending the "Municipal Code of Indianapolis, 1951," as amended, and more particularly Title 4, Chapter 6 thereof, ONE-WAY STREETS AND ALLEYS, providing penalties, and fixing a time when the same shall take effect.

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

Section 1. Title 4, Chapter 6, Section 602 thereof, ONE-WAY STREETS AND ALLEYS be, and the same is hereby amended by the DELETION of the following:

Street	From	To
West Michigan St.	Blake St.	White River Pkwy., West Dr.
Direction	District	
West	16	

Section 2. Title 4, Chapter 6 thereof, ONE-WAY STREETS AND ALLEYS, is hereby amended by the addition of the following section:

Section 605. INTERIM ONE-WAY STREETS

The streets hereinafter described shall be one-way streets during the period indicated. At the end of the interim period, the traffic flow on said streets shall be as provided by this code without reference to this section.

Street	From	To
West Michigan St.	Blake St.	White River Pkwy., West Dr.
Direction	District	Interim Period
West	16	January 1, 1974 to December 31, 1976

Section 3. 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 4. 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.

PROPOSAL NO. 488, 1973. After discussion, Councilwoman Miller moved, seconded by Councilman Byrum, to amend Proposal No. 488, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend City-County Proposal No. 488, 1973, as follows:

In Sections 1 and 2, strike the phrase "An agency recommended by the Mayor's Task Force" and insert in lieu thereof "The Indianapolis Bar Association."

BEVERLY MILLER
Councilman

The motion to amend carried by the following roll call vote; *viz:* 17 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas and Mr. Tintera. 9 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Giffin, Mrs. Noel and Mr. West.

After further discussion, Councilman West moved, seconded by Councilman Giffin, to table Proposal No. 488, 1973. The motion *failed* on the following roll call vote; *viz:* 13 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr.

Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Kimbell, Mrs. Noel and Mr. West. *13 Noes:* Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Griffith, Mr. Hasbrook, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas and Mr. Tintera.

Councilman West moved, seconded by Councilman Boyd, to postpone Proposal No. 488, 1973, as amended, until the meeting of the Council on January 21, 1974. The motion to postpone *failed* on the following roll call vote; *9 Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Egenes, Mrs. Noel and Mr. West. *17 Noes:* Mr. Brown, Br. Byrum, Mr. Clark, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas and Mr. Tintera.

Councilman Byrum moved, seconded by Councilwoman Miller, to further amend Proposal No. 488, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 488, 1973, be amended as follows:

Section 4. Before any formal contract is entered into between the City and the Indianapolis Bar Association that the contract would be submitted to the City-County Council for its review.

WILLIAM K. BYRUM
Councilman

The motion to amend carried by the following roll call vote, *viz*: 17 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 8 Noes: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Giffin, Mr. Kimbell and Mrs. Noel. Councilman Bayt was out of Chambers when vote was taken.

After further discussion, Proposal No. 488, 1973, as amended, *passed* on the following roll call vote; *viz*: 15 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas and Mr. Tintera. 11 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Giffin, Mr. Gorham, Mr. Kimbell, Mrs. Noel and Mr. West. Proposal No. 488, 1973, was retitled Fiscal Ordinance No. 1, 1974, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1974

A PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973) and approving the contracting agency for the Community Services Program in the area of crime and delinquency, specifically legal services for the poor.

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

Section 1. The Indianapolis Bar Association is hereby designated and approved as the contracting agency for the Community Services Program Fund Project in the area of crime and delinquency, namely legal services for the poor, to the extent of the appropriation made

for 1974 in the amount of two hundred twenty-two thousand dollars (\$222,000.00).

Section 2. The City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973) is hereby amended in Section 8, line 16 in the column Contracting Agency, strike the words "to be determined by future action of this Council" and insert in lieu thereof, the words "The Indianapolis Bar Association."

Section 3. Before any formal contract is entered into between the City and the Indianapolis Bar Association that the contract would be submitted to the City-County Council for its review.

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

PROPOSAL NO. 503, 1973. After discussion, Proposal No. 503, 1973, *failed* on the following roll call vote; *viz:* 9 *Ayes:* Mr. Byrum, Mr. Egenes, Mr. Giffin, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mr. SerVaas, Mr. Tintera and Mr. West. 16 *Noes:* Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mrs. Miller, Mrs. Noel, Mr. Ruckelshaus and Mr. Schneider. Councilman Broderick was out of Chambers when vote was taken.

PROPOSAL NO. 504, 1973. After discussion, Proposal No. 504, 1973, *passed* on the following roll call vote; *viz:* 25 *Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, 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. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes.* Councilman Brown was out of

Chambers when vote was taken. Proposal No. 504, 1973, was retitled General Ordinance No. 2, 1974, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 1974

A PROPOSAL FOR A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, 1970, and specifically Title 7, Chapter 16, as it applies to Schedules of Rates for Taxicabs.

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

Section 1. Chapter 16 of Title 7 of the Code of Indianapolis and Marion County, 1970, is hereby amended to read as follows:

7-1615 (7) Schedule of Rates. The Charge for taxicab services shall be as follows:

- (a) Fifty-five cents for the first one-sixth mile, ten cents for each additional one-sixth mile; and ten cents for each one minute waiting time over the first three minutes as hereinbefore specified.
- (b) Eight dollars per hour for use at an hourly rate; provided that there shall be an additional charge of sixty cents per mile for each mile in excess of twelve miles driven during any one hour.
- (c) Provided, however, that rates higher than above may be charged for the transportation of handicapped persons in taxicabs, if the taxicab transporting such persons is specifically equipped for that purpose. The schedule of such special rates shall be filed with and approved by the Controller.

Section 2. This Ordinance shall be in full force and effect from and after February 1, 1974.

PROPOSAL NO. 505, 1973. After discussion, Councilman Griffith moved, seconded by Councilman Schneider, to amend Proposal No. 505, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 505, 1973, be amended as follows:

“Strike Section 2 in its entirety.”

DONALD N. GRIFFITH
Councilman

The motion to amend carried by voice vote. Following further discussion, Councilman Tintera moved, seconded by Councilman Cantwell, to strike Proposal No. 505, 1973. The motion to strike *failed* by voice vote.

Councilman SerVaas moved, seconded by Councilman Griffith, to further amend Proposal No. 505, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 505, 1973, be amended as follows:

That the following be added to Proposal 505, 1973:

“Section 4. That a Revenue Study Committee be established to review Proposal No. 505, 1973, for a six-month period and report its recommendations to the City-County Council at that time.”

BEURT R. SERVAAS
Councilman

The motion to further amend *failed* by the following roll call vote; *viz*: 9 Ayes: Mr. Byrum, Mr. Dowden, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. SerVaas and Mr. West. 15 Noes: Mr. Boyd,

Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Schneider and Mr. Tintera. Councilmen Bayt and Ruckelshaus were out of Chambers when vote was taken.

Following additional discussion, Proposal No. 505, 1973, as amended, *failed* on the following roll call vote; *viz*: 9 Ayes: Mr. Byrum, Mr. Clark, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. Ruckelshaus, Mr. SerVaas and Mr. West. 16 Noes: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Schneider and Mr., Tintera.

PROPOSAL NO. 1, 1974. Councilman West moved, seconded by Councilman Griffith, that Proposal No. 1, 1974, be held for Public Hearing on Monday, January 21, 1974. The motion carried by voice vote.

PROPOSAL NOS. 2 & 3, 1974. Councilman Cottingham moved, seconded by Councilman Giffin, that Proposal Nos. 2 & 3, 1974, be held for Public Hearing on January 21, 1974. The motion carried by voice vote.

PROPOSAL NOS. 19 & 20, 1974. Councilwoman Noel moved, seconded by Councilman Boyd, that Proposal Nos. 19 & 20, 1974, be held for Public Hearing on Monday, January 21, 1974. The motion carried by voice vote.

PROPOSAL NOS. 4—18 & 21 & 22, 1974. No action was taken on Proposal Nos. 4—18 & 21 & 22, 1974. Pro-

posals Nos. 4—18 & 21 & 22, 1974, were retitled Rezoning Ordinance Nos. 1—17, 1974, and reads as follows:

R.O. #1, 1974—73-Z-265(B) (73-DP-17)

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #3,
8101 EAST 82ND STREET, INDIANAPOLIS

William Schmadeke by Charles G. Castor, Attorney, One Indiana Square #2050 request rezoning of 96.03 acres, being in A-2 district, to D-P classification to permit a Planned Unit Development.

R.O. #2, 1974—73-Z-301

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #3,
3901 EAST 79TH STREET (REAR), INDIANAPOLIS

The Metropolitan School District of Washington Township by Norgate Apartments by James R. Nickels, Attorney, One Indiana Square #2050 requests rezoning of 4.57 acres, being in SU-2 district, to D-6 classification to permit apartments.

R.O. #3, 1974—73-Z-302

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #3,
7898 NORTH HAGUE ROAD, INDIANAPOLIS

The Metropolitan School District of Lawrence Township by Halbert Kunz, Attorney, 520 North Meridian St. requests rezoning of 3.44 acres, being in SU-2 district, to SU-37 classification to provide for a Branch Public Library.

R.O. #4, 1974—73-Z-303

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #3,
10293 EAST 59TH STREET, INDIANAPOLIS

Jean Anne Craig by William E. Franklin & John R. Hotten by Gordon L. Harper, Attorney, 4628 North Franklin Road requests rezoning of 13.35 acres, being in A-2 district, to I-2-S classification to provide for manufacturing and storage.

R.O. #5, 1974—73-Z-306

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
5120 VICTORY DRIVE, INDIANAPOLIS

General Motels Corporation by James E. Dora by James R. Nickels, Attorney, One Indiana Square #2050 request rezoning of 6.87 acres, being in C-2 & D-4 districts, to C-2 classification to provide for a motel.

R.O. #6, 1974-73-Z-307

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
4501 & 4525 SOUTH EMERSON AVE., INDIANAPOLIS

Motor Hotel Associates of Indiana by Paul G. Roland, Attorney, 129 East Market St. requests rezoning of 3.72 acres, being in D-4 district, to C-3 classification to provide for two restaurants.

R.O. #7, 1974-73-Z-307(A)

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
4515 SOUTH EMERSON AVENUE, INDIANAPOLIS

Motor Hotel Associates of Indiana by Paul G. Roland, Attorney, 129 East Market St. requests rezoning of 1.09 acres, being in D-4 district, to C-2 classification to provide for a motel.

R.O. #8, 1974-73-Z-309

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #3,
8070 CASTLETON ROAD, CASTLETON, INDIANA

J. R. Crawford Realty Co. and Butz Lumber Co., Inc. by Terence L. Eads, Attorney, 1200 Merchants Bank Building request rezoning of 5.52 acres, being in I-2-S district, to C-7 classification to provide for a lumber yard.

R.O. #9, 1974-73-Z-310

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #20,
2910 WEST MINNESOTA STREET, INDIANAPOLIS

Blue Lake, Inc. by J. D. Hurt, Pres., by Arthur J. Sullivan, Attorney, 312 Union Federal Bldg. requests rezoning of 5.01 acres, being in D-11 district, to C-7 classification to provide for the storage of materials, machinery and equipment used in the excavation business.

R.O. #10, 1974-73-Z-312

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #3,
8840 EAST 86TH STREET, INDIANAPOLIS

Northeast Development Company, Inc. by Philip A. Nicely, Attorney, 1100 First Federal Bldg. request rezoning of 81.27 acres, being in A-2 & D-1 districts, to D-2 classification to provide for residential use by platting.

R.O. #11, 1974-73-Z-313

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
4447 LAFAYETTE ROAD, INDIANAPOLIS

Duane C. & Elnora B. McKee by Speedway Volkswagen, Inc. by Charles T. Gleason, Attorney, One Indiana Square #1930 request rezoning of 1.29 acres, being in A-2 district, to C-5 classification to provide for automobile sales.

R.O. #12, 1974-73-Z-314

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #20,
2916 BLUFF ROAD, INDIANAPOLIS

Tousley-Bixler Construction Co. by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 20.54 acres, being in I-3-U and A-2 districts, to C-7 classification to provide for contractors' office and shops.

R.O. #13, 1974-73-Z-318

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #19,
4101 MANN ROAD, INDIANAPOLIS

John Harmon by Mann Road Land Co. by Charles A. Pechette, 3350 Founders Road requests rezoning of 56.95 acres, being in A-2 district, to D-6 II classification to permit Multi-Family Development.

R.O. #14, 1974-73-Z-326

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11,
INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2041 City-County Building requests rezoning from D-5 district, to D-8 classification to permit apartments, as per map on file.

R.O. #15, 1974-73-Z-326(A)

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11,
INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang,

Administrator, Division of Planning and Zoning, 2041 City-County Building requests rezoning from D-5 district, to PK-1 classification to permit parks, as per map on file.

R.O. #16, 1974-73-Z-326(D)

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11, INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2041 City-County Building, requests rezoning from D-5 district, to SU-2 classification to permit a school, as per map on file.

R.O. #17, 1974-73-Z-326(E)

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11, INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2041 City-County Building, requests rezoning from D-5 district, to SU-1 classification to permit church uses, as per map on file.

Located between East 25th and East 30th Streets, North Keystone Avenue and the first alley east of Wheeler Street.

PROPOSAL NO. 511, 1973. Councilman SerVaas moved, seconded by Councilman Kimbell, to adopt Proposal No. 511, 1973. The motion carried by unanimous voice vote. Proposal 511, 1973, was retitled Council Resolution No. 3, 1974, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3. 1974

A *COUNCIL RESOLUTION* approving and appointing Harold Egenes, Director of the Department of Metropolitan Development, as proposed by the Mayor.

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

Section 1. The Mayor having proposed to the Council in writing the appointment of Harold Egenes as Director of the Department of Metropolitan Development, such proposed appointment is approved as set forth in Section 2 for a term ending December 31, 1974, or at the pleasure of the Mayor.

Section 2. The City-County Council does hereby in all respects approve the appointment of Harold Egenes as Director of the Department of Metropolitan Development.

Section 3. This resolution shall be in full force and effect from and after its adoption.

Passed in Council January 7, 1974

President

City Clerk

ANNOUNCEMENTS

Councilman SerVaas informed the Council members that the Council must fill the forthcoming vacancy to be created by the resignation of Mr. Egenes. Mr. SerVaas suggested he would nominate Mr. Don K. Caplinger. Mr. Broderick suggested he would nominate Mr. Richard A. Elliott.

President Hasbrook called attention to a dinner invitation to each of the Councilmen for Saturday, January 12, 1974, at the Akropolis Restaurant and Lounge. The dinner invitation is courtesy of the Hasbrooks.

Mr. Griffith informed the Council of a meeting of the Community Affairs Committee at 3:00 p.m., Tuesday, January 8, 1974.

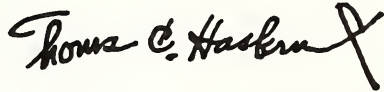
Mr. Cottingham informed the Council of a meeting of the County and Townships Committee at 4:00 p.m., Tuesday, January 8, 1974.

ADJOURNMENT

Upon motion made by Councilman Gorham, seconded by Councilman West, the meeting adjourned at 10:20 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 7th day of January, 1974.

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)